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ABSTRACT

This report aims to improve the administration of intergovernmental education by contributing information about specific and practicable ways in which such improvement may be accomplished. The study focuses on two important problems of Federal-State-local administration of elementary and secondary education: (1) inadequately coordinated and poorly timed program authorizations and appropriations; and (2) a multiplicity of necessary and desirable, as well as unnecessary and counterproductive, requirements that constitute an organizational overload on official agencies at all levels. (Author/JF)

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Evidence for Administrative Changes in Federal-State-Local Education

Edgar Fuller

State Intergovernmental Education Project
A Study of Cooperation
1971

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Foreword

The purpose of this project report is to improve the administration of intergovernmental education by contributing information about specific and practicable ways in which this may be accomplished.

The report is intended for the use of federal, state, and local administrators, and the many citizens who serve education in official and private capacities at all levels of government. It is hoped that the implications of the evidence on administration of federal-state-local programs will lead to increased educational benefits and cost effectiveness throughout the country.

The Project Policy Committee and the Commonwealth of Pennsylvania are greatly indebted to a larger number of individuals, official agencies, and associations than can be acknowledged here. The members of the Policy Committee met often and guided the project well. The eight state project committees and their coordinators, who are identified fully in this report, contributed much of its substance. They were indispensable to its success.

The U.S. Office of Education, and particularly its Division of State Agency Cooperation, responded to the needs of the project far beyond supplying funds and fulfilling its ordinary official functions. Associate Commissioner for Federal-State Relations Wayne O. Reed, Director Harry L. Phillips, Branch Chief James E. Gibbs, Project Coordinator Thomas L. Johns, David G. Phillips, and the late Robert F. Will gave time and effort far beyond the call of duty in assisting the Project Policy Committee and the staff.

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Jane K. Owens, Assistant Project Director, an experienced former state and local administrator, contributed diligently and brilliantly to the work of the project and to the preparation of this report.

B. Anton Hess, Chairman
Project Policy Committee

May 1971

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* * * *

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Introduction

Current problems in intergovernmental education reflect social and economic trends to which adaptations have not yet been made. Local elementary education met most of the needs of the newer parts of the country at the end of the nineteenth century, and local property taxes financed public education everywhere without serious difficulty. As secondary education grew, and as educational requirements of advancing technology increased, state financial assistance to local schools was added. Then the Great Depression struck, and the states doubled their share of the total elementary and secondary costs to a national average of 40 percent to keep the schools open and growing, a percentage they have maintained as dollar amounts have skyrocketed.

Federal funds for public elementary and secondary education were very small until 1950, and even today these funds total no more than 7 percent of the total cost. Nevertheless, the 93 percent state and local funds are so completely vested in ongoing school operations that the federal government is now a principal source of funds to serve important new needs.

Responding to this situation, most federal-state-local programs are designed to meet specific objectives. This is accomplished by channeling the funds with legal requirements attached to ensure that the federal purposes will be met. The condition today is such that federal requirements, along with other requirements imposed by state and local education agencies to assist in achieving similar purposes, constitute an organizational overload that threatens to overwhelm administrators. Educational benefits are being sacrificed because ineffective administrative processes do not permit full accomplishment of program objectives.

This study has concentrated on two important problems of federal-state-local administration of elementary and secondary education: (1) inade-

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quately coordinated and poorly timed program authorizations and appropriations; and (2) a multiplicity of necessary, desirable, unnecessary, and counterproductive requirements that constitute an organizational overload on official agencies at all levels.

The lack of timely coordination has made the necessary federal, state, and local administrative responsibilities impossible to perform satisfactorily within the time available under the federally initiated schedules. Because such schedules and allocations of official responsibilities are determined at the federal level, basic reform to achieve timely coordination is primarily a federal responsibility.

The administrators in the U.S. Office of Education cannot fully meet their own responsibilities for making regulations, allocating funds, and approving state or local programs until after federal legislation on program authorizations and appropriations has been enacted. The state and local agencies must perform their administrative work within the limitations of federal laws on authorizations and appropriations, as elaborated in administrative details by Office of Education regulations. The local agencies cannot make firm preparations for operating programs until both federal and state authorizations and funding are available. Whenever the federal arrangements for program coordination and funding fail, the intergovernmental programs usually continue to be inadequately coordinated and poorly timed all the way from Washington to the local classroom.

Congress has made a series of beneficial changes in efforts to overcome the damaging effects of the intergovernmental organizational overload. It has experimented with advance funding, and it has authorized carry-over of funds for one fiscal year to apply to all programs administered by the Office of Education. Congress also has considered the annual budget request of the Office of Education on a priority basis and separately from that of the Department of Health, Education, and Welfare in the last two congressional sessions, leaving more planning time for the federal, state, and local agencies. The Office of Education has made many administrative adjustments, as have the state and local agencies in their own ways.

All these efforts, unfortunately, are not of sufficient scope to solve the federal-state-local problems of lack of timely coordination. There is no reason to believe that piecemeal federal legislative and administrative efforts can ever do so. The evidence is clear that a more far-reaching reform will be necessary.

Congress has authority to take the basic action the situation requires: to change the federal fiscal year to coincide with the calendar year, leaving the state and local fiscal year to begin on July 1. Such a change would provide federal, state, and local administrative agencies approximately the time they need to make necessary intergovernmental preparations to inaugurate timely and vastly more effective programs at the local level. The same reform also would improve the schedules of program authorizations and appropriations for intergovernmental programs in other areas of federal, state, and local concern. It is a change that was made for other reasons in 1844, and it is entirely practicable as well as necessary to meet the major problem of lack of timely coordination in current intergovernmental programs. This problem has been discussed in detail in Chapter 1.

An important element throughout this study is the degree of planning, initiative, competence, and personal effort contributed by federal, state, and local administrators in implementing intergovernmental programs of education. Statutes and regulations do not activate programs; only people can make them produce educational results. Excellent administrators can achieve effective results by overcoming difficult problems imposed by poor administrative structure, while incompetent administrators often get poor results under the best of operating conditions. These considerations, although not strictly measurable, were present throughout the study. They are discussed in general and specifically in relation to certain operating programs in Chapter 2.

The second major problem of this study arises out of the multiplicity of categorical financial aids to education and the number and complexity of special administrative requirements used to ensure that their statutory objectives will be met. The total amount of paperwork clearly constitutes an organizational overload, which makes it important to sort out the requirements that are necessary and those that are unnecessary or counterproductive. Accordingly, this study sought to ascertain which administrative patterns or activities support accomplishment of program objectives and which are unnecessary or retard attainment of those objectives.

In analyzing this problem, the project enlisted the assistance of 109 state and local federal program administrators in eight states. These participants were carefully selected by the chief state school officer or coordinator of federal programs in each state on the basis of their experience, administrative ability, and personal competence and judgment.

A research instrument was developed on the basis of a modified systems analysis approach. It set forth roughly representative samples of the administrative requirements and constraints in the laws, regulations, administrative orders, and guidelines of four operating intergovernmental programs of education. These items were analyzed, discussed, and rated according to the extent they supported or retarded the attainment of program objectives. Both traditional and novel methods were used in seminars with the state committees to authenticate the evidence before the final ratings were made on the basis of their operating experience and knowledge.

The planning phase of the project, the development of a research instrument, its applications in eight participating states, and the ground rules in regard to the effects of biases, ideologies, and other factors in the item ratings have laid a foundation for replication or extension of the study.

One of the by-products of this study was to experiment with new methods of measuring or carefully assessing the effectiveness of patterns and activities involved in administration and management of intergovernmental education. Descriptions and purposes of these methods and procedures are related in detail in Chapter 3.

Chapter 4 reports the work of the eight state-local committees and an analysis and commentary by the project staff on each of the seven sections of this part of the study. These sections show that a total of 73 percent of the items rated were believed to be strongly or mildly supportive of program objectives and that 27 percent were regarded as mildly or strongly retarding those objectives. The evidence of the study is clear that there is much room for improvement in the administration of federal-state-local programs. The highly rated items could be emphasized more in administrative practice. The items impeding attainment of program objectives or unnecessarily adding to the organizational overload could be deemphasized or eliminated.

This study has attacked a large and pervasive condition affecting intergovernmental administration of education from two directions. The first approach has reflected traditional research methods; the second, a modified deductive systems analysis with extensive participation by state and local administrators in eight states. The two approaches supplement and reinforce each other, presenting evidence that may assist in efforts to improve intergovernmental programs of education.

CHAPTER 1

Timely Coordination of Intergovernmental Programs of Education

The coordination of federal authorizations and appropriations with state and local education programs is complex and difficult. Effective coordination requires legislative and administrative diligence, with careful timing at all levels. It becomes impossible when legislation and regulations lag behind schedules, contain unrealistic deadlines and extensive assignments that leave no time for necessary planning, and lack funding for prompt implementation. It is surprising that in many intergovernmental education programs these conditions habitually recur year after year and predictably damage educational results.

Failure to coordinate program authorizations and appropriations with schedules of the local school year might be anticipated in implementing new legislation, but poor coordination persists in maturing and even routinized programs. It often flares anew following substantial amendments to the law or changes in regulations. The toll in program failures, wasted funds, and low morale is devastating.

The evidence of this study confirms the almost universal testimony of experienced state and local administrators throughout the country. Lack of timely coordination is general and pervasive, ultimately resulting in lost opportunities to plan, staff, and operate local programs adequately.

The underlying reason for this situation is only slightly less obvious. The basic federal-state-local administrative structure has been created by the federal government and is primarily a federal responsibility. That structure causes and maintains the present conditions. It is the foremost constraint on state and local educational agencies and lies beyond their authority or power to change.

The following table presents the record of the past five fiscal years in regard to late funding.

Dates of Enactment of Annual Appropriations
U.S. Office of Education

Fiscal Year	Date of Enactment	Days Delay After July 1
1967	November 7, 1966	129
1968	November 8, 1967	130
1969	October 11, 1968	102
1970	March 5, 1970	247
1971	August 18, 1970	48

Average delay each year after beginning of fiscal year on July 1—131 days

The most timely enactment of appropriations for education during these five years came on August 18 of 1970 for fiscal year 1971. This date almost coincides with the opening of the annual terms of local schools throughout the country, which varies from about August 20 to September 20. The record for fiscal year 1971 is in sharp contrast to that of fiscal year 1970, but it is not sufficiently timely. As we shall see, six to eight months are needed for necessary federal, state, and local program planning and administrative preparations *after* the annual federal appropriation is enacted, all to be completed and ready for use *before* schools open about September 1 for their annual terms.

The probability is that most intergovernmental programs are simply too overloaded with inputs from federal, state, and local governments to permit all three levels of administration to perform their necessary work requirements within existing time limitations. This chapter will examine these problems of organizational overload and the administrative environment within which they exist. It will review the congressional and federal administrative efforts of recent years to improve important details of intergovernmental administration of education. It will describe several of the constraints applied to the Office of Education by federal officials and agencies that have authority over it. Then it will deal with a pattern of organization and operation that promises much better coordination and increased program effectiveness.

Organizational Overload at Three Levels of Government

In the Office of Education, program officers prepare regulations, guidelines, administrative manuals, and other operating arrangements. Its financial officers compute apportionments, prepare reporting requirements, and make allocations of funds. All these arrangements must follow federal enactment of programs and their funding provisions. The federal administrative functions often require much time. A single regulation may consume weeks of discussion in the Office of Education. It may involve both consultations with congressional leaders about what was intended and with administrative policy makers about how to allocate mandatory and discretionary authority among federal, state, and local agencies under the law. An apportionment of funds under a new or revised formula may be equally time consuming.

Federal allocations of functions may result in further delays at the state and local levels. If a state plan must be written or amended, it may be necessary to consult with local boards and superintendents, or even to make local field surveys before completing the plan. The federal decisions on whether state plans are in approvable form may thereafter require conferences with individual states.

The state agencies must take the initiative in dealing with local education agencies as required by federal and state laws and regulations. New federal programs must be adapted to state systems of local financial accounting, which vary from state to state. If the state agency approves local projects and programs, and if it takes seriously the necessity of assisting in plans for local evaluation, the state administrative responsibilities may become formidable. Such services to program planning, operations, evaluations, and reporting are necessary for the state agency to fulfill its own obligations to local and federal agencies.

The state agencies deal with thousands of local education agencies on the one hand, and with the Office of Education or other responsible federal agencies on the other. Their functions are time consuming when performed well enough to support the objectives of the program. They play a vital role in program development and fund distribution from the federal and state agencies to the local agency, and in program evaluations and reporting from the local to the state and federal agencies.

It is the local education agencies, however, which have suffered most from lack of timely coordination, and only their accomplishments can justify all the federal legislative efforts and administrative preparations of federal, state, and local education agencies. The local administrative position is unenviable. After local citizens learn of the federal authorizations of educational programs, their pressures to experience those fine programs quickly mount. While the local agency continues to wait for clarification and spending authority from Washington and the state capitol, community impatience grows. Even after that word finally comes, the pupils and their parents must wait a little longer while local administrators plan programs, prepare program applications, qualify for program approvals, employ necessary staff, arrange teaching facilities, and enroll eligible pupils. Typically, it has been impossible to implement intergovernmental programs for many weeks or even months after school terms begin. A large part of the educational loss often results from the simple fact that competent teachers for such vaguely scheduled programs are difficult or impossible to employ and retain. Ad hoc programs begun under such circumstances are not ordinarily productive in terms of educational benefits, per-pupil costs, or public acclaim.

The cumulative burden of three sets of responsibilities must be shouldered by three levels of government acting in concert rather than successively, as under present conditions, before intergovernmental programs can fully benefit the pupils. As long as education is considered primarily a state responsibility and a local function, no fewer governmental levels is practicable. The search must be for ways to reorganize the schedules at all levels of administration in ways that bring maximal support to the goals of thorough planning, timely implementation, and effective operation at the program level.

An Instructive Example

An example of unplanned but effective scheduling and planning occurred in the ESEA Amendments of 1966 after the enactment of Title VI, Education of Handicapped Children, on November 3, 1966. Small funds finally became available several months later, too little and too late to inaugurate state plans and local programs in fiscal year 1968. The federal and state agencies made the best of the situation by agreeing to use the funds for cooperative planning at each level. A period of nearly eight months' planning under an agreement between the federal and state agencies, from June 1967 to February 1968 when additional program funds were received, was thus used to get a running start at the beginning of fiscal year 1969 on the basis of original planning at all three levels.

As described later in this report, the evidence is clear that Title VI intergovernmental administration continues to benefit enormously from the long-term cooperative planning of 1967-1968. The planning was truly cooperative, and it resulted in reasonable allocations of administrative chores among agencies. The state plan is simple and direct, the forms are brief and clear, and the required reporting is restricted to appropriate items necessary to achieve intergovernmental accountability. Federal services without mandatory controls are not neglected. Title VI is probably the most uncomplicated among the several state plan programs studied. There is every reason to believe that all programs would have benefitted from a similar cooperative approach to planning.

The Federal Scene

Some coordination of federal program authorizations and appropriations with the administrative needs of effective education has been attained in recent years on the initiative of congressional committees responsible for educational program legislation. The congressional appropriations committees also have demonstrated willingness to make helpful adaptations in their procedures. There has been one instance of advance funding, that of ESEA Title I in FY 1970. In another instance, the House appropriations committee in FY 1971 considered the Office of Education request separately and earlier than the request for the remainder of the Department of Health, Education, and Welfare budget. The result was that the Office of Education funds were approved on August 18, 1970, while the funds for the HEW Department were not approved until early 1971. This practice was repeated for FY 1972, and the Office of Education request passed the House on April 9, 1971. With such encouraging recognition of the unrealistic scheduling that has adversely affected federal, state, and local education agencies and their intergovernmental programs, we shall turn to the question of whether larger measures of reform may be expected from the appropriations process.

Federal Appropriations Procedures

The procedures of the House of Representatives illustrate the special legislative conditions that tend to separate the substantive laws that authorize intergovernmental programs from the appropriations necessary to carry the authorized programs into effect. The program authorizing committee does not fund the laws it initiates; it merely sets ceilings on the amounts that may be appropriated by another committee. Because educational laws typically are funded far below the amounts authorized by their established ceilings, the authorizations set by the substantive program committees have little effect in determining the amounts that finally become available for the programs. The appropriations committee makes these specific determinations.

In the exercise of its discretion, the appropriations committee can make increases or reductions of education funds directly related to reductions or increases for other areas of federal expenditures such as health, welfare, or defense. It also can make increases or decreases among funds for individual programs within the education appropriation bill itself. The appropriations committee sometimes makes spending ceilings of its own, especially when none has been authorized by the substantive legislation. It may attach riders limiting the amounts that may be expended for specific purposes within the approved items.

The members of the several House appropriations subcommittees become fiscal experts in the special fields dealt with by their own subcommittees, and other members of the full committee usually tend to follow such expertise on a basis of mutual accommodation unless there is a special interest in particular items. In the competition among subcommittees for funds within the full appropriations committee, the education subcommittee may compromise with subcommittees representing other program areas. Once these agreements have been reached and approved by the full committee, its final recommendations are ordinarily upheld on the floor of the House except for occasional controversial items.

Both House and Senate have separate legislative authorizations for education programs and the appropriations to finance them. Working on different time schedules, both bills are passed and referred to their respective joint conference committees. Authorizations and appropriations proceed to passage on separate legislative tracks in both House and Senate, differences between the two branches are then resolved in joint conference, the conference report is approved by House and Senate, and the final bill becomes law after approval by the President.

The dual legislative routes for federal program authorizations and for appropriations of funds to finance them are likely to persist. When the two legislative routes deliver their uncoordinated laws to the Office of Education, however, the products of the two legislative tracks can be brought closer together. The program authorizing laws usually arrive first, followed by the laws authorizing appropriations, although there have been occasions when the appropriations process has been delayed because the program authorizations were unavailable. The legislative scheduling is so complex and demanding in so many ways that major reforms within its internal processes are not probable. The need is to enact program authorizations and appropriations at scheduled times that make federal, state, and local administrative preparations possible. Meanwhile, smaller adaptations, such as early passage of appropriations, will continue to be of considerable assistance.

After the program authorizations and appropriations have been made, there are fewer reasons for keeping funds and programs separated. At each level, the administrators often can bring education programs and their necessary funds into more manageable coordination merely by making administrative arrangements to do so.

Overhead Controls of Policies and Practices

The Office of Education is bound by the specific requirements and expressed or implied intentions of the Congress, but these relationships are affected by policies and practices imposed by other federal agencies. These may be routine or discretionary. For instance, routine cost effectiveness studies are made by the President and his staffs for program management and budgets. These assess current programs and provide the rationale for programs and appropriations to be recommended by the executive branch for the next year. A damaging discretionary constraint involves the impounding of particular appropriated program funds by the executive branch on the ground that congressional appropriations do not mandate expenditures. This practice is the equivalent of an executive item veto. In effect it nullifies the intentions of Congress. There is no direct way the Office of Education can affect this situation.

Congress exercises legislative "oversight" functions and monitors federal, state, and local education programs and their costs in many ways. Committees, subcommittees, committee chairmen, and individual senators and congressmen press their special concerns. Individually and in groups, they stay in touch with federal administrators, hold open hearings and closed sessions, make investigations, and publish reports. They hear from their constituents about federal program operations back home.

Another important influence on the Office of Education that affects the state and local education agencies is the Office of the Comptroller General of the United States. Although the Comptroller General is appointed by the President for a term of 15 years which cannot be renewed, he reports to Congress and is intended to serve Congress without interference from the executive branch. Specifically, his General Accounting Office is the overseer of essentially all federal expenditures of funds appropriated by Congress. In the *Washington Post* of March 28, 1971, Bernard D. Nossiter reported that in 1970, the General Accounting Office made 1,837 audits, 321 major reports at the request of Congress, 203 major reports on its own initiative, and 644 less significant reports for federal administrative agencies. It has nearly 5,000 employees, with a preponderance of lawyers, accountants, management experts, and other professionals.

The General Accounting Office is as important as it is powerful. Standing more or less independently between the legislative and administrative branches of the federal government, its work is aimed at the exposure of fraud, failure to observe the law or regulations, or even the exercise of less expertness in administration than its auditors or other investigators expect. It reviews not only the financial records, but also the operations of selected federally supported programs of all kinds. Its contributions to law and order in the financing and administration of programs would be difficult to overestimate.

In education, the General Accounting Office reviews programs and audits expenditures, reports on financial mistakes and inefficiency, and makes available to news outlets materials that are sometimes headlined as sensational facts and startling conclusions. Even the best administered and most effective of all intergovernmental education programs is damaged by such publicity when there is no explanation of how atypical the offender is among the hundreds or thousands of local programs and projects operating within the same law and regulations. Some criticized programs appear to be defensible under the particular circumstances in which they operate, involving innovations that to the local communities and program administrators are highly regarded as meeting the clear objectives of the legislation. Our decentralized system of federal-state-local education, considering its thousands of relatively small programs and its mild approach to power politics at the federal level, cannot exercise the kind of political strength necessary to tone down an adverse report, however unfair it may be.

In the Office of Education the federal bureaucracy extends layer on layer above the federal managers of educational programs, exercising general supervision and authority, especially in regard to educational practices that reflect special policies. Such supervision, however necessary, causes delays within the Office of Education, e.g., the finalizing of regulations is often delayed until long after the funds have become available. The result can be advances of payments to the states on provisional terms that tend to leave the final legal requirements in doubt for months, or even the postponement of all funding for an unreasonable time.

Federal overhead constraints are felt continuously at federal, state, and local administrative levels, whether from regulations and procedural requirements or as a result of lack of coordination that inadvertently separates program authorizations and funds. Their cumulative effects not only interfere with effective federal administration of education programs, but they also prevent action by state and local agencies in their efforts to perform their own program planning, funding procedures, and program operations. These circumstances make it imperative that federal overhead initiatives be exercised only when clearly necessary and desirable in view of the organizational overloads they create.

Educational administrators at all levels are grateful when centers of federal authority, whether the White House, Congress, or high administrative officials, exercise leadership to clear away administrative impediments and lighten the federal organizational overload. Federal clarifications of programs and procedures, firm assurances of funds certain in amount, and special attention to the scheduling of legislative and administrative functions enable state and local agencies to proceed more effectively to plan, staff, operate, and evaluate the programs of intergovernmental education in which they participate.

Congressional Legislation

Since 1967, Congress has passed a series of laws that have tended to modify federal administrative enforcement of requirements against the state education agencies in regard to the federal fiscal year. This refers to deadlines and various limitations applied to program administration before, during, and following the July 1-June 30 fiscal year as the unit of time for federal program authorizations, funding, state and local program operations, program evaluations, and financial accounting. The fiscal year for most state and local school agencies is the same as the federal, but the school operating year begins in most communities between August 20 and September 20 and ends between May 20 and June 20.

The table on Page 12 shows that under current practices, federal funds to assist in the financing of local programs cannot be relied upon for use on the first day of the state and local fiscal year on July 1, or even when most schools begin in September. This is because, following the actions of Congress dated in the table, the funds and the authorizations for their expenditure must be processed in the Office of Education and at the state and local levels before the funds can be used. These administrative functions require additional weeks or months to meet the requirements to make expenditures at the program level.

Congress has found it necessary to make emergency provisions to enable programs to continue through periods during which authorized funds are not available. For this purpose, it has long resorted to continuing joint resolutions.

The continuing resolution usually extends the current educational program into the next fiscal year for a given period and prohibits program changes pending receipt of newly appropriated funds. It is made effective for a short period of time, later to be extended for short periods when necessary. Its adverse effects on even the most needy of children at the local level can be illustrated by an instance when funds for the special milk program were being released by the Department of Agriculture under a continuing resolution in 1970. Because of repeated delays in approving the appropriation and the inability to obtain assurance that funds would be available beyond August 31, a state agency advised all local agencies to charge the full cost of milk to needy pupils until federal officials could give assurance that the funds to reduce the cost to such pupils would be provided. The appropriation for the Department of Agriculture was not passed until early in 1971.

The continuing resolution has become the standard congressional remedy for critical situations caused by late federal funding. It has been evaluated carefully in this study and is believed to be detrimental to education. Such a resolution constitutes a moratorium on innovation and constructive program change, makes program planning difficult or impossible, creates confusion, frustrates teachers and administrators, and becomes an easy deterrent to the enactment of satisfactory and permanent solutions to late funding that Congress is in a position to provide.

The conclusions of this study on continuing resolutions and other recent legislation on funding have been reported in Chapter 4, Section VI, Special Funding Provisions. Among the 27 items rated in that section by the 109 state and local administrators from eight states, the item on the continuing resolution rated 2.697 and ranked a low 24 among 27 items in its relative support of educational objectives.

In sharp contrast, other items of congressional action since 1967 had high ratings among the 27 special funding items as follows: advance funding rated 1.256 or fifth highest; a law requiring the Office of Education to keep federal funds available for obligation and expenditure throughout the entire fiscal year rated 1.431 or seventh highest; a law authorizing federal funds unexpended at the end of the fiscal year to be carried over into the next fiscal year for obligation and expenditure in that year rated 1.247 and ranked highest; a law authorizing certain federal vocational education funds to be used until expended rated 1.256 and ranked second highest; and authority to carry over "impact" law funds for one year rated 1.357 and ranked fourth highest among the 27 items. The attitudes of state and local educational administrators add up to a strong preference for these and other congressional actions that require the Office of Education to remove certain of its limitations on use of the fiscal year in dealing with state agencies.

The most significant congressional action in 1967 came in amendments to sections 401 and 403, Title IV, P.L 90-247. These authorized federal funding of eight programs for one year in advance. All these programs are administered through state agencies and are listed in section 401. They include seven titles of the Elementary and Secondary Education Act of 1965, as amended, and the Adult Education Act of 1966. Section 402 provides that ". . . appropriations for grants, contracts, or other payments under any Act referred to in section 401 are authorized to be included in the appropriations Act for the fiscal year preceding the fiscal year for which they are available for obligation." This was a partial breakthrough toward more equitable treatment for the state agencies concerning fiscal year limitations.

Another step was an amendment to section 401 of Title IV of P.L. 90-247, referred to above, which mandated the Commissioner not to withdraw funds from state and local agencies that had been allocated for a fiscal year until after that fiscal year had ended. This was the congressional reaction to an attempt to prevent obligation or expenditures of federal funds toward the end of fiscal year 1966. Telegrams were sent from the Office of Education to the state agencies ordering special state and local surveys of funds remaining in their custody as of a given day in May that presumably were not to be obligated and expended for the remainder of the fiscal year. As the date set was in the middle of a financial reporting period and meeting the deadline was impracticable, the Office of Education necessarily withdrew the order.

Another amendment to P.L. 90-247, Title IV, section 402 was attached to the Vocational Education Act of 1968, in which the Congress decreed that provisions of that section ". . . shall apply to any program for which the Commissioner has responsibility for administration *either by statute or by delegation pursuant to statute*." (Emphasis supplied.) These words make it indelibly clear that Congress was extending the benefits enjoyed by the eight programs named in section 401 to all programs in the Office of Education. Congress had now made the Commissioner specifically responsible for the federal administration of all federal programs, including those operating through the state agencies on a continuing basis, as in a realistic sense he had been all along.

In 1970, Congress took another decisive step in equalizing continuing state agency programs with others that had never been made subject to fiscal year limitations under the regulations of the Office of Education. Further amending Title IV Amendments to P.L. 90-247 in the General Education Provisions Act, Congress provided that ". . . any funds from appropriations to carry out any programs to which this title is applicable during any fiscal year, ending prior to July 1, 1973, which are not obligated and expended prior to the beginning of the fiscal year for which such funds were appropriated shall remain available for obligation and expenditure during each succeeding fiscal year." Thus the one-year carry-over was applied to all Office of Education programs.

Implementing Congressional Policies

The Office of Education is now mandated to treat all programs alike, whether or not they are continuously administered through a state agency, provided their program authorizations meet the time requirements. Until this became law, the Office of Education administrators were able to build a practice, protected by their own regulations, that applied only to a selected group of state and local education agencies. If a state agency had, for example, an unexpended balance of $12 million and a number of the local agencies in the state had an unexpended total balance of $16 million at the end of the fiscal year, the practice was to reduce the new funds for the succeeding fiscal year by $28 million. Now the law clearly mandates that the funds carried over shall remain available for obligation and expenditure during the next succeeding fiscal year. This would not affect the right of a state to its full allotment for the succeeding year; otherwise, the regulation would penalize the new programs of a new program year and would have the effect of nullifying the law.

In spite of these enactments, fiscal year limitations continue to be applied by the Office of Education to continuing programs administered through the states. For reasons that are far from convincing, these programs apparently must meet the fiscal year limitations. This is because the states, rather than the Commissioner of Education, are regarded as the responsible administrators of their continuing programs. The states are said to have a right to funds for continuing programs, an inherent right that is in the states alone, on the theory that state formulas and continuing rights under the statutes lead to reasonable expectations of funds for the next year. It is said that continuing programs through the states differ from all others because they alone receive allotments on an annual basis, so they must report back annually and meet other deadlines within the limitations of the fiscal year.

Federal grants to higher education are said to be exempt from the requirements of the fiscal year because there is no certainty that additional funds will be forthcoming. Another reason is that universities and colleges are said to need time to recruit professional assistance to develop programs and report to the Commissioner, who is fully responsible for their approval or disapproval. The Commissioner is said to lack such direct authority over continuing federally supported state programs in the sense that he controls programs in higher education.

A different theory has been applied to P.L. 874 of 1950 as amended, ordinarily called the "federal impact" law, although the Commissioner has no direct authority over the expenditures of the federal funds in local education agencies. This program is exempted from the fiscal year limitations on the ground that when eligible local agencies have educated their eligible federally connected pupils, they have "earned" their federal funds by way of reimbursement. The reimbursed funds then belong to the local agency and can be expended for any purposes for which the district board of education could legally spend its local tax funds. Moderate participation by the state agencies in the P.L. 874 program, such as certifying the numbers of eligible pupils from the local agencies of the state, has not altered the exemption from fiscal year limitations. This program has a long track record of continuity and strong nationwide support in thousands of local districts that would find those limitations burdensome.

The practice and supporting theory cited to uphold enforcement of the limitations of the fiscal year only against the state agencies have little justification in fact. The Commissioner controls both the approval of and the amendments to the state plans. He controls the allotments of federal funds from year to year as certainly when those funds go to the states as when they go to higher education or to research projects. The implication that the time needed for planning, approval, and funding of programs or projects directly from the Commissioner to higher education institutions is greater than that needed for the cumulative federal, state, and local planning, approvals, and funding of elementary and secondary intergovernmental programs of education is contrary to experience.

The weight of custom, tradition, and regulations in perpetuating such practices may not be overcome without insistence by the states that the law shall be observed. New allotments to state and local education agencies having balances at the end of the current fiscal year apparently will be cut back, one way or another, to the extent of the balances carried over to the next succeeding fiscal year. Then the same situation will once again exist at the end of fiscal year 1972, because the printed forms on which the states, counties, and other state governmental units request funds will have continued to request those funds specifically for use within the traditional limitations of the fiscal year.

It is appropriate to discuss how and why this may be possible. One supporting administrative procedure to lessen resistance may be to avoid bringing the local agencies into the matter so that deductions from the total state and local balances may be made at one time from the state allotment. Others may be the creation of a climate of doubt as to whether the law really applies or the maintenance of an ambiguous silence while the practice prevails. Moreover, there may be an alertness to take full advantage of the possibility that Congress may fail to renew the program authorizations beyond July 1, 1973, or may fail to renew the provision that authorizes carry-over of funds for obligations and expenditures during the succeeding fiscal year. Finally, riders on appropriations laws might avoid or postpone implementation of the law, unless there is support from state and local educational agencies favoring its implementation.

Thus far, the policy of silent ambiguity and the continuity of current practice prevails. No policy has been announced, no directive or other communications have been sent to the states, and discussion of the subject on its merits is lacking in the Office of Education. The constraints on the Office of Education are thought to have been imposed informally by the federal agencies above it which supervise fiscal affairs on behalf of the executive branch of the government. Pending more fundamental reform, a federal administrative policy to extend the privileges enjoyed by higher education and the "impact" laws to all intergovernmental education programs would be helpful.

Administrative Adjustments

Office of Education administrators and other authorities above them have found it desirable to develop informal practices that constitute exceptions to their own limitations of the fiscal year. For instance, if a state plan must be approved by the Commissioner in order to qualify state and local action taken under its authority, it need not be formally and completely approved if it is federally regarded as being in "approvable form." Then funds can be allocated and expended while extended discussions continue about what is required to transform "approvable form" into "approved content" in a state plan that merits legal approval by the Commissioner. There is good reason for permitting state and local program operations to proceed while federal and state administrators negotiate an acceptable state plan under which the state and local programs could be formally authorized to operate.

Another beneficial practice permits "obligations" of federal funds to be charged to a fiscal year even when expenditures of the obligated funds may be made after the end of that fiscal year. A currently developing administrative adjustment is to observe the strict limitations of the fiscal year for administrative funds and for financial reporting, but to accommodate the federal management of education programs to the operating timetable of a school year beginning on September 1. The results of these developments are being used for administration of ESEA Titles I and VI, with some variations.

The Title VI pattern differentiates between the fiscal year beginning July 1 and a program or "award" year beginning September 1. Under this plan the operating school year begins on July 1 with a summer session in July and August, financed by funds from the budget of the preceding fiscal year and obligated before July 1. The summer school has had the benefit of the previous ten months available for the planning of the summer session and for obligating the funds to operate it. The regular school schedule gains July and August for planning programs, for ascertaining the exact amount of federal and state funds that will be available, and for obligating funds for the programs beginning September 1. All actual expenditures under this schedule are made after September 1. Similar adjustments could probably be helpful in coordinating program planning and financial resources with the schedules of the fiscal and school years in other federally supported education programs.

The evidence of this study strongly supports the congressional and administrative actions that have sought to improve legislative and administrative flexibility and timing for intergovernmental programs of education. It also supports the conclusion that all these will remain no more than treatment of the symptoms of a serious malady rather than a cure. This conclusion would not be different if we could assume that at least a one-year carry-over of funds will become universal and that fiscal year limitations on federal-state-local education programs will be allowed complete equality with those dealt with most favorably in the Office of Education. The concluding section of this chapter will be devoted to consideration of what appears to be a complete and realistic answer to the lack of timely coordination in intergovernmental programs of education.

A New Federal Fiscal Year

Our search has been to discover ways and means to improve coordination of federal, state, and local authorizations, funding, and other administrative requirements for timely implementation of intergovernmental programs of education. The evidence is conclusive that such programs need several months more time than is now available for program and administrative planning at the federal, state, and local levels. This would require the establishment of a sequence of conditions: (1) federal program authorizations and appropriations must be made available each year at a more definite time according to a prearranged schedule; (2) federal and state program and administrative planning must result in timely allocation of funds and distribution of program requirements to local agencies on the basis of definite authorizations and appropriations; (3) local administrative arrangements and funding must be sufficiently completed to operate approved and well-planned school programs beginning in late August or early September each year.

The federal information is needed by January 1 each year if the federal, state, and local planning and administrative functions are to be performed well and completed before the opening of schools in August or September. The federal coordination at the beginning of the process is prerequisite to the entire schedule.

The educational need is for a reasonable opportunity to perform as effectively and economically as the more centralized intergovernmental agencies and the local schools are capable of operating. This opportunity has been denied by restrictive administrative conditions beyond the control of the local education agencies and the schools for which they are officially responsible. Piecemeal efforts to repeal or avoid these restrictions by

Congress and administrators at all levels have admittedly been insufficient. We must conclude that extension of their efforts, while somewhat promising, cannot gain the several extra months necessary for federal, state, and local program planning and administrative preparations. A more comprehensive change is necessary to achieve the timely coordination needed. The evidence points directly to the use of the calendar year as the federal fiscal year, with the state and local fiscal years left to begin on July 1 following the beginning of the new federal fiscal year on January 1.

This is not a new idea. It was the early practice of the federal government when life was simple. Congress convened in December and adjourned in the following March or April, operating on the calendar year as the federal fiscal year. In 1842-1844 a change was made to a federal fiscal year beginning on July 1. The reason for this change was that the federal authorizations and appropriations each year were being made and coordinated long before July 1, and there was no need to wait another six months before inaugurating the fully authorized and financed programs.

For more than a century the July 1 arrangement served the country well. In recent years, however, it has been increasingly difficult for the several departments of the federal government to coordinate authorizations, regulations, and appropriations, especially those eventually to be forwarded to state and local agencies administering intergovernmental programs. Major difficulties began with the enactment of the National Defense Education Act of 1958, when categorical aids to the state education agencies for the use of local school districts began to increase in numbers and complexity. The situation became serious soon after 1960, when the intergovernmental mechanisms for the administration of federal aids to education became ever more frustrating at every level of government. At present, with more than one hundred special aids to education operating from the Office of Education and other programs operating from other federal agencies, the crisis has deepened. It is demonstrably necessary today to adapt the federal calendar to the realities of year-long congressional sessions in a way that will meet the clear needs of federal, state, and local administrative agencies. Perhaps in no other way can it be certain that substantially improved educational results and cost effectiveness can be achieved.

This proposal is bipartisan. It is supported generally by the executive branch, and it was approved in a statement by Phillip S. Hughes, Deputy Director of the Bureau of the Budget, on October 23, 1969. The idea has been supported by the leadership of both major political parties. Bills have been introduced in Congress with strong bipartisan sponsorship.

One of the leading proponents of making the calendar year the federal fiscal year is the Committee for Economic Development, a nonpartisan national organization of prominent business and professional men which conducts research in the public interest. Apparently no organization has surfaced in opposition to the concept. Fortunately too, no individual or organization appears to have become dogmatically committed in regard to certain necessary details involved in making the change. There is an attitude favoring adjustments of schedules that will be more helpful than at present. This may ensure a cooperative effort to formulate procedures and operations under a new fiscal year that can be highly beneficial to intergovernmental programs in education and other areas as well.

The evidence of this study strongly reinforces the federal calendar year as the most promising solution of the dilemmas with which it has dealt. All impressions gained in working closely with eight statewide committees, with federal agencies, and with representatives of local school agencies are in agreement. An important part of this report is to discuss the practicability of the general idea and to refer to a number of procedures that need to be worked out cooperatively with all interested individuals and agencies in effecting the needed changes.

A Six-Month Adjustment

One of the first questions that arises is how to make the transition to a federal fiscal year that begins on January 1 instead of July 1. It has been suggested that there could be a special six-month fiscal year beginning July 1, perhaps in 1973, and ending December 31 of that year. Another alternative is to have an eighteen-month fiscal year, with the last six months being carried forward under a continuing joint resolution with all program budgets operating at the preceding fiscal year levels. The programs themselves could be extended for six months.

Such adjustments as these, Mr. Hughes has suggested, ought not to be left to future action by the Congress, because complications and even failures to act could result from the large number of specific actions that would be required to extend various authorizations, deadlines, reporting dates, and other special provisions in numerous areas of legislation. He recommended that Congress deal specifically with all such matters in the same bill that authorizes the change of the fiscal year itself. If this were not feasible for any particular program, he suggested that it might be possible to leave appropriate changes to be made by executive action, perhaps subject to a legislative veto.

Insofar as the state and local education agencies are concerned, July 1 would continue to be the beginning of their fiscal year. No action affecting the state or local fiscal year is necessary or desired, since the most important purpose of the change is to gain the six months from January

1 to June 30 for the cumulative federal, state, and local planning of federally aided programs in school districts beginning their terms between August 20 and September 20 each year.

A Better Congressional Schedule

A vital part of the proposal would divide the federal legislative year into a congressional session, from January 3 to August 15, for dealing with program authorizations, and a later session, from August 15 to December 1, devoted almost entirely to making appropriations. The federal administrative agencies might submit summaries of estimated expenses on June 1 to support the regular budget for the fiscal year beginning on the following January 1, followed by estimates on November 1 to support a general supplemental appropriations bill for the concluding fiscal year to be passed toward the end of each session of Congress.

The timing involved in having an early session for program authorizations, with both regular and supplemental appropriations enacted in the latter part of the year, is ideal for educational purposes. It would lead to concentration on authorizations first, and then on appropriations for the next fiscal year and supplemental appropriations for the expiring fiscal year. This basic schedule would encourage timely congressional action on these essentials before the Christmas holidays and before the second session of a current Congress, or in alternate years, before a new Congress convenes shortly after January 1.

The Budget and Accounting Act of 1921 requires that the executive budget: (1) show actual results of the last fiscal year operations of the federal government; (2) show fresh estimates for the fiscal year during which the budget presented has been prepared; and (3) make fiscal estimates and recommendations for the year ahead. Under the calendar year the presentation of the President's budget and his economic report might be moved from January to April 15. Other arrangements for timing of a number of related executive actions could be worked out between the White House and the congressional leadership.

The federal government has a year-long operation with a chronic struggle to meet deadlines. Little if any unused time remains into which schedules can be stretched. Some dates, such as those of elections and holidays, probably cannot be changed. Nevertheless, rearrangements necessary for achieving a federal calendar year might be made more facilitating than the current schedules. Beyond bringing timely coordination to intergovernmental programs of education, a new federal fiscal year could bring similar benefits to intergovernmental programs in other areas of legislative concern.

CHAPTER 2

Interaction in Management and Administration

The enactment of legislation and the appropriation of funds form the skeleton and provide the authority for an education program. However, it is people—many people working at all levels of government—who ultimately translate a program into a viable reality. When the efforts of these people are coordinated and supportive, the program can achieve a measure of success in fulfilling its objectives as stated in the law. When their efforts do not mesh, there is little chance of such success.

This chapter provides illustrations of ways in which administrators at all government levels have attempted to implement federal education programs authorized by various laws.

The purpose of any administrative pattern is to provide communication and to initiate action. Open and continuous communication is essential for successful implementation of intergovernmental programs of education. In order to fulfill its responsibilities and permit others to do so, each level of government must receive and deliver precise, adequate, and understandable information.

The Office of Education is the primary source of communication regarding legislation, regulations, program information, and reporting procedures for intergovernmental education programs authorized and funded by Congress. This information is transmitted to state education agencies, which are responsible for transmitting it to the local agencies in their respective jurisdictions.

As each new federal education program is shepherded through the legislative process toward authorization and funding, the bureau within the Office of Education to which administration of the program is to be assigned usually tries to keep state agencies informed about the current status of legislation via informal contacts. After a program has been authorized and funded, the Office of Education begins to develop a formal communication structure. The first responsibility of the Office is to develop regulations which supplement and clarify the legislation, which it can do more effectively if the state agencies are involved at once. Usually much more detailed and restrictive than the law, regulations reflect the legislative history of the program, intents of Congress which may not have been written into the law, the prevailing philosophy of the executive branch, and the attitudes of the Office of Education staff.

State agencies occasionally will be invited to review and comment on the draft regulations, particularly if there is likely to be controversy on certain points. These consultations can be quite helpful, for when state agencies are provided with an opportunity to influence regulations, they can support the development of those which will encourage the successful achievement of program objectives. As the number of federal aid programs increases, involvement of state agencies in the process of drafting regulations provides an excellent opportunity for the Office of Education to learn from their experience. This is one way in which poor administrative requirements can be deleted and successful ones promoted.

During this period the Office often attempts to keep state agencies informed of what they may anticipate both in terms of regulations and of fund allocations. Despite these informal efforts, state agencies tend to delay action until they receive copies of the proposed regulations. Their reluctance to act, based on past experience with changes made during the drafting process which may render their efforts useless, increases the time lag between legislative action and implementation at the local level.

The development and official approval of regulations are crucial steps in the implementation of any new legislation. Although delays at this stage can cause damage to the program which requires years to repair, they occur repeatedly and for much the same reasons each time. Representatives of special interest groups attempt to gain special benefits or considerations for their constituents. Authors of regulations may try to promote activities which Congress does not include in the law but can be construed as within legislative intent. State agencies which represent politically powerful communities may take exception to certain requirements. The delay in issuing new regulations after the merging of Title III of the Elementary and Secondary Education Act and Title V-A of the National Defense Education Act resulted from a combination of such influences. For over a year federal and state staff members discussed how to merge the guidance program (Title V-A) with the project concept of Title III, and still they achieved no resolution of the problem. While the intramural and intergovernmental discussions dragged on, programs for children were thrown into confusion.

Guidelines are written by the program management staff to further clarify the laws and regulations or to reinforce particular items considered important to the national interest. Guidelines are regarded as having equal authority by some state and local agencies, although they are not enforceable as are laws and regulations. Silent consent to these additional restrictions reduces still further the few options which laws and regulations leave to state and local agencies.

Once a program has been established, the federal program management staff keeps state and local agencies informed through program guides usually written to clarify one or more aspects of program administration. The need for such clarifications may arise when several of the state or local agencies appear to have arrived at varying interpretations of the law or regulations, when the Congress or Office of Education wishes to change the emphasis or direction of a program, or when there is a change of philosophy at the Office of Education.

Experience in developing a program often gives state agencies insight into problems generated by regulations or guidelines. Sometimes these problems can be resolved through discussion and mutual agreement to reorient the interpretation originally given. On occasions when this sort of reasoning fails and the state agency feels that it is unduly constrained, its administrators have the right and obligation to challenge the federal interpretations. When this also fails, as in the case of Title I comparability requirements, state agencies may take their problems to the Congress. Similar action by the states is appropriate when they find the administrative structure unacceptable, as in the case of Title III in 1967.

When a law is amended, the Office of Education must rewrite the affected regulations. With rare exceptions, which occur when a law undergoes serious, basic modifications, state and local agencies continue to operate the program without interruption, using a common-sense approach to modify it to meet new requirements instead of suspending operations until the new regulations appear. This pragmatic approach is commendable because the delays involved in developing new regulations could frequently cause a year's hiatus in activity.

Congressional hearings may raise issues regarding program administration which do not result in amendments but which nevertheless prompt the Office of Education to revise the regulations or to rewrite the program guidelines. Such revisions are usually more restrictive because they reflect additional legislative history or concerns. In some instances these voluntary revisions of regulations and guidelines appear to be made more in the interest of placating special groups than of improving program administration.

Regulations, guidelines, and program guides issued by the Office of Education are intended to give state and local agencies assistance in administering a program. They also have other purposes with varying degrees of legitimacy. With more than fifty state agencies administering each program, present practice is to maintain administrative patterns relatively uniform to avoid grave disparities in benefits among the states and their local agencies, a practice that necessarily restricts flexibility among state and local educational programs. A less legitimate use occurs when they are written to achieve what some federal administrators believe are necessary reforms in educational and administrative practices at state and local levels. Unless the legislation per se is written to reform certain practices, such efforts have no place in the regulations and guidelines.

Legislation, regulations, and guidelines form the basic structure of a program. However, they are only effective as administrators translate them into action. To accomplish achievement of program objectives it is essential that the people involved develop a good informal system of communication so that they are able to understand one another as they work together. There are no prescribed channels for much of the intergovernmental communication necessary to the success of program development. As federal participation in education expands, it becomes increasingly important for state agencies to initiate and maintain informal contacts with federal program administrators.

After a new program has been authorized and funded or an old one greatly altered, the Office of Education usually arranges regional meetings to brief representatives of the state agencies. At these meetings Office of Education staff members explain the legislation in the light of its history and the intent of Congress, and they suggest ways in which state agencies might organize for its administration. Less frequently the Office of Education invites all state agency representatives to one big conference to discuss a new program. Such an occasion gives the program administrators in state agencies a rare opportunity to work together and to share ideas.

These meetings, whether national or regional, can be very productive if the Office of Education staff members are well informed and able to respond with authority, and if the state agencies send the people who will be directly responsible for the program. They are less successful when Office of Education staff members are unable to provide authoritative information, when state agencies send representatives who will not be directly involved in the administration of the program, when state people do not use the opportunity to react or provide feedback, or when state representatives offer recommendations which are ignored.

This process of establishing administrative tracks to implement a new program or revise an old one may be made exceedingly difficult by circumstances which are beyond the control of administrators in the Office of Education or those of any state agency. It is difficult for Office of Education or state agency staff members to ameliorate problems arising from late authorization or funding of a program, to speed up certain procedures such as formulation of fund allocation, or to respond to public expectations for instant success resulting from widespread publicity.

Once the initial orientation of state agency personnel has taken place, the responsibility for communication with state agencies usually is distributed to several persons who serve as the program management team within the Bureau. It is at this point that the relationships between the Office of Education and the state agencies become most dependent upon the relationships between individuals and their respective attitudes and idiosyncracies.

Federal program managers who are sympathetic with and understanding of the position and problems of the state agency can do much to strengthen, support, and encourage the state people with whom they work. When members of the Office of Education staff equivocate on interpretations of legislation and regulations, when they are unable to provide state people with possible alternative courses of action, when they are inaccessible to people in state agencies, or when they are dogmatic and autocratic in their reactions to state agency questions, they create a hostile climate in which cynicism and distrust flourish. The state administrators can create similar conflicts if they are not objective and thorough in maintaining timely communications about their practices in areas of federal responsibility.

The Office of Education plays a critical role in one additional type of communication which occurs at the other end of the program: reporting and evaluation. The reporting and evaluation requirements which are placed upon state agencies, and indirectly on local agencies, have a strong influence on the administration of the program at those levels. Excessively detailed reporting requirements may be deterrents to accurate reporting because such information is difficult for state agencies to collect. The Office of Education deals with between 50 and 60 state and territorial agencies. However, as most state agencies deal with from 100 to approximately 2,000 basic administrative units, the sheer weight of numbers makes it impossible for the most conscientious state administrator to fulfill overly stringent reporting requirements.

A serious problem in reporting occurs when information not wholly relevant to successful program administration is requested. Although some types of information may be desirable as the basis for the planning of other activities at the federal or state level, requesting it as part of a program report is not entirely defensible unless it is necessary to ensure that program's successful administration.

Evaluation requirements are difficult to meet for many reasons. At the present time there are relatively few people who have the competencies necessary to develop evaluation strategies which go beyond the conventional concept of administering standardized tests. Most state and local agencies have little experience in program evaluation, which is quite different from pupil evaluation. The Office of Education is not able to offer many practical solutions to these problems as there is no greater experience or competency at the federal level. As a result, progress in developing good program evaluation techniques has been slow. In the meantime, reports in terms of numbers of children involved and other counting exercises have become acceptable forms of evaluation simply because the Office of Education must have something to report to Congress to support its requests for funding.

The professional educators at all government levels have, in the main, attempted to be honest and forthright about the problems confronted in developing good program evaluation strategies. Efforts have been made by federal, state, and local people to share their experiences in the development of evaluation designs which provide sound program information. In some measure their efforts have been impeded or not supported by the apparent ease with which outside groups have conducted superficial observations or statistical surveys they called program evaluations. Good evaluation is built into the program as a continuous process; it cannot be accomplished by a hasty review or observation of a program.

State Agency Administration of Federal Programs

State education agencies have been profoundly influenced by the proliferation of federal aid programs since 1965. Administrative responsibilities mandated by federal legislation required state agencies to develop new staffing patterns to cope with both internal administration and provision of services to local agencies.

Prior to 1965 most state agencies placed administrative responsibility for a federally funded program within the division of the agency to which it was most closely allied. However, as the administrative activities of recent legislation have increased in number and complexity, the development of new state-local relationships has become necessary. Therefore, many state agencies have established new systems of coordination to deal with federal programs.

Securing personnel has remained a continuing problem for state agencies. Although the salary schedules of state agencies have made great gains, in most states they are still tied to the overall state salary structures, which tend to lag behind those of local governments. Many people are reluctant to take a position which relies on federal funds because of the limited period of authorizations and the constant discussion about reorganizing federal aid in ways which might phase them out.

The Office of Education is sometimes unjustifiably critical of state agencies, suggesting that they do not make strong efforts to staff federal programs and apparently failing to understand that providing funds for state administrative costs does not guarantee that the state agency will be able to fill positions. This failure to recognize the problems faced by state agencies often leads to unwarranted complaints about indifference or incompetence.

State agency staff members have a difficult role in the administration of federal programs which provide funds for local school districts. They do not originate the program objectives or the regulations, yet they are required to implement and enforce them. They do not have the responsibility for planning or developing local programs, yet they are frequently held responsible for their quality.

The responses of federal, state, and local agencies to some of the administrative activities demanded by federal legislation and regulations are best examined in relation to specific programs.

Administrative Patterns for Title I, ESEA

At the time of its enactment, Title I embodied entirely new concepts of educational programs and required the development of new patterns of intergovernmental relationships. There were varying views within and among the federal, state, and local agencies about the correct interpretations of the law and appropriate additional requirements to be incorporated into the regulations. Some educators, legislators, and members of the executive branch of the federal government viewed Title I as part of the total war on poverty and a force to redirect local educational priorities. On the other hand, others believed that local agencies ought to have nearly complete autonomy in the use of Title I funds and that the role of federal and state administrators was to provide technical assistance upon request. The first regulations attempted to accommodate both schools of thought.

The Elementary and Secondary Education Act initially assigned the federal agency a relatively minor role in the continuing administration of Title I. One important responsibility is the determination of allotments of funds by county within each state, which is based on the formula in the law. Data must be obtained from literally thousands of local education and welfare agencies before the computations can be made. The distribution formula is so constructed that several agencies must provide information accurately and on time in order to prevent delay of the preparation of allotments for the entire program. It was just this sort of human inattention to detail which delayed the determination of fiscal year 1970 allotments until after the beginning of the fiscal year, despite the fact that the appropriation was approved in October of 1968, or eight months in advance.

During the first year of Title I operations, its prerequisite activities, writing regulations and allocating funds, delayed planning and program development at the local level until the school year was almost half gone. Many local administrators were pushed into starting the program, even though they knew they were not adequately prepared, because of the great publicity given the program.

The initial haste to start Title I programs tended to endow local agencies with latitude in program development which both state agencies and the Office of Education have tried to limit in succeeding years. Since the responsibility for administration of Title I falls on state agencies, there is a strong body of opinion among them that there is no particular merit in having the Office of Education staff make field visits to observe programs. At the same time, the Office of Education staff feels that it must make such visits because it must make recommendations for legislative proposals and write guidelines and regulations.

The Office of Education Title I staff lacked travel funds to make program reviews until after the program had been in operation for three years. During that time the Office of Education viewed Title I programs only through reports supplied by the states, audits made by HEW and GAO auditors, evaluations contracted for by the national advisory council, and reports and evaluations made by independent groups. These separate reports do not provide, singly or together, a complete or objective account of the administration and operation of Title I at the state and local levels. In the absence of comprehensive evaluation, a single abuse reported from the field was sometimes regarded as a typical case and often prompted a complicated new set of instructions, thereby placing an additional burden on all the innocent state and local administrators as well as on the guilty.

The desire for accurate information about program activities and their effectiveness has led to periodic revision of evaluation requirements and reporting procedures. These changes have had little effect in altering Title I at the local level, nor have they produced more accurate information about Title I projects across the country. While there still remain some differences in philosophy as to the purpose of Title I and the most desirable means to achieve its stated objectives, observations made in the field have made the Office of Education staff better able to understand the problems of state and local administrators.

Title I delegates full responsibility for administration and supervision of the program to state agencies. The various state administrative patterns established for this program often tend to be extensions of a given state's previous relationship with its local agencies.

Some state agencies, for example, adopted a policy that Title I entitles a local agency to a specific amount of money to expend as it chooses within a broad interpretation of the regulations and criteria established for project approval. This policy role is fully compatible with the commitment to autonomy of local government found in many states. These state agencies view their roles as minimal in influencing the program at the local level. They provide technical assistance on request, and they tend to approve project applications almost automatically unless flagrant violations are evident in the application. Although they send out additional federal information and receive local reports routinely, they exercise little initiative in assisting local agencies to understand the former or to complete the latter.

Other state agencies viewed their Title I responsibilities as an opportunity to develop a new or stronger role of partnership with local agencies. Within the framework of the federal law, regulations, and guidelines, they began to develop a state Title I program with emphasis on developing local projects to meet statewide priorities. These state agencies became active in encouraging local agencies to study their disadvantaged populations and determine their greatest educational needs. Some states require every Title I project to have specific components, such as reading and arithmetic, while others permit local agencies to choose their own activities from among priorities set by the state. Although these requirements limit local autonomy, concentrating on a limited variety of educational services in local agencies throughout the state has several advantages. State agencies are able to provide high quality professional assistance because they can hire staff members with special experience in these areas. A variety of solutions to the same problems can be tried in different local agencies. Information about the relative merit of each can be exchanged to avoid costly repetition of failures. These state agencies likewise coordinate planning, implementation, and evaluation of Title I projects.

In the middle ground are the state agencies which provide competent services to local agencies but do not establish statewide priorities. These state agencies believe that they have a very real responsibility to ensure that both the letter and intent of the law are observed insofar as it is realistic to do so. However, they do not perceive their Title I activities as an opportunity to develop statewide strategies for implementing changes at the local agency level. These state agencies work with their local agencies in a supporting role, providing services as needed and monitoring local activities to ensure reasonable compliance with federal directives.

State agencies have become increasingly involved in local program evaluation because of the scarcity of people who are experienced in the preparation of good evaluation designs. There simply are not enough of them to meet the demands, nor is there need for every school district to have the full-time services of a program evaluator. Many state agencies, therefore, are assuming a major role in developing Title I evaluation strategies.

One positive side effect of this involvement of state agency staff members in program evaluation is the gradually accumulating body of information from which inferences can be drawn about how to develop strong, successful Title I programs. As evaluative information becomes standardized throughout a state, it is possible to compare the success or failure of individual Title I projects in achieving specific objectives.

The state agencies are responsible for Title I programs to serve the children of migratory agricultural workers. In practice, they delegate the planning as well as the implementation of these programs to local agencies because the facilities, the personnel, and the children are there, not in the state agency. As a result of the early experiences with programs for migrants, the state agencies have worked together to develop a uniform record system which enables them to keep track of migratory children and provide continuing information about the children. This cooperative effort has proven to be of great value in programs more responsive to the needs of the children. It has eliminated the chore and imposition on the migrants of repeatedly securing the same information at every stop on the migratory route.

The greatest burden of administrative activity for Title I falls on local administrators. In addition to the problems inherent in the administrative requirements of the law and regulations, problems also result from the impact of the program on their internal administrative patterns.

Small local agencies and those receiving small Title I allotments find that the complex rituals of developing a Title I project application and the subsequent administrative requirements of fiscal and program reporting place excessive additional burdens on the existing staff.

Local agencies which receive large allocations usually employ a person to administer Title I. As the law requires that special projects and activities be developed to overcome the educational disadvantages of selected children, the Title I administrator sometimes appears to be running a program which is detached from the rest of the school system. Unless he works very closely with the total administrative and supervisory staff of a local agency, misunderstandings about Title I can cause serious problems. Principals and teachers often find the selective nature of this program difficult to accept when they see the needs of many other children not being met. Local Title I administrators also find occasionally that the program objectives are not understood or appreciated by school board members or the community. Therefore, good local Title I administration requires unusual skill in order to serve the needs of disadvantaged children without permitting the program to acquire a conspicuous separate identity.

In the early days of Title I there were some local administrators who believed that they did not have to comply with state regulations when federal funds were supporting a particular program. This view has gradually led to increasing federal regulations and legislation directly applicable to local agencies, especially in establishment of Title I target areas, maintenance of state and local financial effort, and pinpointing increased federal funds for the greater benefit of fewer but more seriously disadvantaged children.

Administrative Patterns for Title III, ESEA

Title III of the Elementary and Secondary Education Act affords an interesting opportunity to observe the responses of individuals and groups to new or different administrative patterns and responsibilities. It is not the purpose of this review of Title III to determine the merit of divergent views; the present concern is to discover the effect of various administrative patterns and responses on the achievement of program objectives.

The original legislation for Title III assigned administrative responsibility to the federal agency, which was to deal directly with applicant local agencies. The single reference to the state agency in the law and in the regulations was to note that the Commissioner could approve an application only if a copy had been submitted to the state for review and recommendation. There were two interpretations given to this reference: that the state had permission to review and make recommendations; and that the state was expected to review and make recommendations. A state agency's interpretation of this item was a crucial factor in determining its administrative response to Title III until fiscal year 1969.

After two years of activity, many state agencies realized that whether or not they were assigned administrative responsibilities for Title III, the program was becoming increasingly important, and that some state leadership was highly desirable and even necessary to ensure that statewide educational needs and goals were being considered in the development of projects. Therefore, by fiscal year 1968 state agencies had begun to take an active role in Title III. They encouraged the participation of staff members in the development of proposals by local agencies; they reviewed proposals carefully and made recommendations which reflected state priorities with increasing frequency; they participated in the financial and program negotiations between applicants and the Office of Education; they began to develop project evaluation techniques and conduct evaluations to assist local agencies in strengthening the projects. This increased participation in Title III was invaluable to most state agencies when they assumed administration of the program in fiscal year 1969.

When P.L. 90-247 transferred administrative authority to the states, a state plan was required. There was no previous experience which had prepared a state agency for some of the complex and detailed requirements of the state plan for Title III. When it became clear that Title III was going to be amended to conform with the traditional federal-state-local pattern for administration of education programs, stringent requirements were placed upon state agencies for the content and administration of state plans. The rationale for this overburden was that state agencies were not accustomed to dealing with programs designed to bring about change; therefore, it was essential that they be given narrowly defined limits within which to function. The irony of this rationale lies in the fact that while the program was intended to encourage experimentation and innovation, state agencies were given almost no freedom to attempt new ways to approach the administration of such a program. In many states the Title III staff became so involved in the complexities of developing an approvable state plan to keep the funds flowing that they were forced to reduce their efforts to encourage utilization of the funds in local agencies.

While the intention of Congress was to turn administration of Title III over to the states and to lessen federal controls over approval of local programs and their operation, the federal administrators sought through a detailed state plan to retain indirectly some of the authority they had under the direct federal-local relationship. When the Office of Education dealt directly with local agencies, it was not necessary to exercise formally the complete control they possessed. Through the state plan requirements they were able to influence details of state administration of the program and the kinds of project activities funded. The Office of Education could influence advisory council membership, state staffing patterns, state design for needs assessment, kinds of projects to be funded, and state evaluation strategies. The Office of Education could challenge any one of the several dozen separate items of the state plan if it believed the state agency should do something differently, despite the fact that the federal agency staff had very little, if any, knowledge of the internal structure of the state agency within which the particular plan was to function.

Conditions for approval of the Title III state plan appear to be absolute, with little or no allowance made for the relative ability of state agencies to fulfill them. It was possible for a large, adequately staffed state agency to reallocate its human resources to meet the state plan requirements. But for a small state agency, which may have been carrying unfilled vacancies even before Title III was transferred, the immediate fulfillment of these conditions was not possible.

The expectation that a state agency would immediately find and employ additional staff to perform the needs assessment, evaluation, and dissemination activities required by the state plan was unrealistic in many instances. The state agencies which resisted the pressure to employ immediately when they could not find suitable personnel were far better off than a few which filled positions just to satisfy paper requirements.

During the period when Title III was a federal-local agency program, many of the local agencies became accustomed to developing projects with little regard or concern for state regulations. They justified this on the grounds that the state had no control over the funds and that Title III was intended to move ahead of existing concepts of education. Neither reason is valid inasmuch as the state has the ultimate responsibility for education. Many state agencies found resistance to their initial efforts to make certain that Title III projects conformed to existing regulations or were granted specific exemptions from such regulations by the state agency or state board. It was difficult for some local administrators to accept closer supervision of Title III projects than of regular programs which are assumed to be in accordance with regulations. These problems have been surmounted gradually as many state agencies have given special attention to Title III projects which serve as demonstrations of new approaches to old problems and as models for other local agencies.

The limited funds for Title III have required state agencies to make difficult choices in selecting projects for funding. Local administrators are not always sympathetic to the problem of selection, particularly when one submits a project which is not funded. To avoid conflict, most state agencies have developed detailed and carefully prescribed review procedures. This enables the state agencies to explain and defend their decisions if challenged.

State Agency–State Advisory Council Relationships

The state advisory council for Title III is appointed by the state agency. In most states this has enabled state agencies to select for membership people whom they know to be familiar with the state's educational goals and the general conditions and problems of public education throughout the state. The support of sympathetic councils has been helpful to the state Title III staffs in their work with local agencies and the Office of Education. A council chairman accompanying a state coordinator to Washington to discuss the approval of a state plan is apparently regarded as strong evidence of public interest and involvement in the program.

Most state agencies have found that the state advisory council makes a positive contribution to the program. The participation of a third party in project approval has been welcomed by state and local agencies. Both believe that council members provide an outside view that tends to objectify decisions.

In most states the Title III coordinator serves as the executive officer for the state council. This arrangement provides for maximum coordination and participation of the council without creating the possibility of a dual administrative track. The close relationship fostered by the dual role of the coordinator-executive secretary has encouraged council members to participate in program activities. This type of experience and relationship has enabled advisory council members to become well-informed representatives of the public and to gain sympathetic insight into the problems of both state and local agencies as they work to create educational improvements.

It would seem, in general, that advisory councils appointed by state agencies make more positive contributions to the development of effective programs than those otherwise appointed.

The effective administration of a federal program at each level of government is dependent on numerous and varied factors. The initial legislation must be clear in its purposes and sufficiently broad to accommodate implementation by state and local agencies with a broad range of size and competencies. Regulations and guidelines must be written to complement and explicate laws without containing unnecessary restrictions which reach beyond legislative intent. Once these important contingencies are clarified, however, the ultimate success of the program will depend on the people who administer and implement it, their skill, their motivation, and their desire to communicate with each other to attain that success.

CHAPTER 3

A Study of Intergovernmental Cooperation in Education

Federal laws authorizing categorical programs and funds for education have progressively broadened and complicated intergovernmental relationships in recent years. Many such programs have brought regulations and other administrative requirements of increasing complexity to be observed by state and local agencies, sometimes so demanding that they cannot reasonably be met.

The complexities of the ground rules under which current intergovernmental education programs must operate are formidable. Each law must be placed in effect at successive levels of government, beginning with federal regulations and guidelines involving state and local procedures such as state plans or local applications for programs or projects. The substantive legislation and the necessary provisions for funding follow separate legislative and administrative channels. Reasonable time schedules at federal, state, and local levels of administration for coordinated program authorizations and funding are seldom observed.

The administrative route from the enactment of the authorizations to the beneficial results of the programs enjoyed by the pupils at the local level is a long and complex process of determinations and communications. Problems arise in getting clearance for planning, staffing, funding, and operating local programs within the framework of federal and state laws, regulations, guidelines, and administrative requirements involving deadlines for action. Newly enacted programs are usually most troublesome. Although they tend to become more manageable as they mature, new difficulties often grow out of amendments and administrative arrangements for program changes deemed necessary. Some problems tend to persist indefinitely, such as the timing and coordination of funding and local program requirements. A multiplicity of small categorical aids consistently add so greatly to local problems that many local leaders believe there must be better ways to achieve their objectives.

Purposes of the Project

This study is an effort to sort out the laws, regulations, and other administrative patterns and activities that have been most successful in achieving program objectives of intergovernmental education. It also will identify the administrative arrangements under which such programs most often fail to achieve their program objectives because federal, state, and local requirements impede rather than support achievement.

Intergovernmental programs in education are controlled in large part by operational arrangements and procedures that are prescribed by federal, state, and local laws and administrative regulations. Managerial and administrative leadership in developing procedures not legally required is also important and ranges from innovative practices to artful evasion of unnecessary or irrelevant impediments to local attainment of program objectives.

The project proposed: (1) to describe and analyze arrangements and procedures in the functioning of various federal programs; (2) to determine with reasonable objectivity those arrangements and procedures that appear to promote and foster good management practices at federal, state, and local levels; (3) to identify those arrangements and procedures that violate principles of sound program management at all levels of the intergovernmental partnership; and (4) to develop a research instrument, with the assistance of state and local education officials from a number of states, to enable them to identify the administrative patterns and activities these officials consider to be most effective and least effective in achieving program objectives.

The Planning Phase

A project proposal was initiated by Dr. Edgar Fuller, who discussed it in May of 1969 with Dr. Harry L. Phillips, Director, Division of State Agency Cooperation, U.S. Office of Education. With Dr. Phillips's encouragement, Dr. Fuller held conferences with the Division staff, and a planning project was outlined. Pennsylvania agreed to become the grantee state, with Dr. Fuller as project director. An agreement delineating the respective duties and responsibilities of the grantee state and the project director became effective on October 1, 1969. North Carolina and Michigan were associated as cosponsors of a proposed planning project to extend from October 1, 1969, through January 15, 1970.

An application for the planning project was approved by Secretary of Education David H. Kurtzman of Pennsylvania on September 8, 1969, and soon thereafter by the Office of Education. A project policy committee was organized, with the chief state school officers and their federal program coordinators establishing state project development committees in Pennsylvania, North Carolina, and Michigan.

These state project committees were organized with approximately equal numbers of state and local administrators who were chosen for their experience and understanding of federal, state, and local administrative patterns and activities in education. One purpose of the planning project was to test possible methods that might be used in an expanded project including a number of state project development committees. The planning project report was to be in the form of an application for approval and funding of the project described in this study.

The planning project sponsored analysis of the administration of two operating programs, Titles I and VI of the Elementary and Secondary Education Act of 1965 as amended, with major emphasis on Title I. The report reflecting the work of the three state project committees recommended a study in depth of the administration of intergovernmental educational programs by local, state, and federal agencies. This called for an appraisal of the governance of those programs at each level and an analysis of how program management at each level affects program results of the agencies at the other two levels. The planning phase experimented with a variety of approaches and challenged the project director to explore others with the state committees, the project policy committee, a number of carefully selected consultants, and especially with the staff of the Division of State Agency Cooperation.

Adaptations of certain legal methods for producing and verifying factual evidence were tested and seemed appropriate. Those most used involved written interrogatories to the state project development committees which were then followed by verbal cross-examinations with the committees on the authenticity of the returns. Various approaches were used in developing the scope and application of legislative and administrative impacts on the management of intergovernmental programs through interviews with individuals and with state project committees. After some adjustments in terminology and procedures, these approaches were employed during the first year of the continuing project to develop a research instrument in cooperation with the state project committees.

One administrative by-product of the planning project is particularly noteworthy. The administration of state finance systems to support local educational agencies and state supervision of public education have long disturbed unfettered autonomy in local schools. Although the historic state-local administrative conflicts over such issues as school district consolidation or the enforcement of statewide standards on local programs and personnel have subsided, the federally financed categorical programs of recent years appear to have revived old tensions. Federal and state requirements have complicated the operation of local educational systems and made the exercise of reasonable local autonomy more difficult.

Discussions of such basic problems were common in planning phase sessions with the state project committees. The local administrators defined their difficulties more clearly and perhaps more frankly than ever before. The state representatives joined them in working out feasible solutions, bringing up local problems of state concern so sensitive that they had seldom, if ever, been discussed with local administrators. Considered sympathetically by the local and state representatives of the committee, within the framework of the items in the interrogatory, obvious progress was made toward mutual accommodation. State and local committee members were able to approach problems of their relationships face-to-face and in cooperation with each other rather than by complaining behind the scenes. The results produced items of unusual authenticity that could be depended upon to indicate which requirements supported and which requirements impeded program objectives.

The Development Phase

Early in 1970, negotiations with the Division of State Agency Cooperation in the Office of Education led to the approval of a project based on the planning phase report and application. The project was subsequently funded for one year through February 17, 1971, later amended to continue through June 30, 1971. The federal funds obligated under ESEA Title V through the end of the project totaled $103,764, including the planning grant of $7,641. Five additional states, Arkansas, Kansas, Maryland, New Hampshire, and Utah, became participants in the project and organized state project development committees.

The negotiations for a project with the State Agency Cooperation staff involved primarily two alternative approaches in methods. Aspects of each approach were used in the study.

Analysis of Operating Programs

The analysis of operating programs began with a study of their specific legal and administrative structures. It was proposed that the procedures tested in the planning project be adapted for analyzing administrative patterns and activities in four categorical aid programs already operating in the eight states. It also was proposed that a rating scale be established to evaluate these patterns and activities in terms of their state and local effectiveness in the selected intergovernmental programs. The operating programs selected for analysis and the project procedures were to be the same for each of the eight participating states.

This *program* centered approach was given primary focus through a modified deductive systems analysis of the laws, regulations, administrative criteria, enforceable rules, and guidelines applicable to each program selected. Items from these sources, which covered wide samples of administrative patterns and activities in each program, were analyzed and rated on the basis of the knowledge and experience of each committee member. The process was made realistically specific and practical, allowing the state committees to define emerging patterns and activities of administration from specific items and to rate those patterns on their administrative merits.

Analysis of Pervasive Problems

The second basic approach considered in the negotiations with the State Agency Cooperation staff was *problem* centered. This involved analysis of the most pervasive problem areas in federal-state-local administration of education. It was used to identify and evaluate major aspects of intergovernmental administration and management of educational programs in connection with such important areas as: (1) program planning and development; (2) program application, review, and approval; (3) program funding; (4) program staffing; (5) program implementation, servicing, and monitoring; (6) program evaluating and reporting; and (7) fiscal reporting. Examples of specific situations that illustrate the effects of such problem areas were drawn from any intergovernmental programs in which they could be identified. These were discussed, with emphasis on administrative patterns and activities commonly associated with intergovernmental elementary and secondary school programs.

The materials and methods of the *problem* centered approach gradually grew out of the state project committees' deliberations in applying the rating scale to *program* centered items. It soon became clear in these seminars that analysis and discussion of a wide selection of discrete items would not allow enough time to explore large, basic problems. At this point the federal officers and the project director agreed that there was need for supplementation by traditional research and use of numerous sources outside the items and their ratings. It was concluded that the *program* centered and the *problem* centered approaches were not mutually exclusive alternatives, and that they could effectively complement each other for the project as a whole. Such has been the experience. Both approaches have been used in evaluating the strengths and weaknesses of the patterns of administration in use, and each has had its own peculiar advantages. The results have been in general agreement and considerably more complete than if either approach had been used alone.

Coordination of Authorizations and Appropriations

The coordination of legislative program authorizations and procedures with timely authorizations and procedures for funding those programs is an almost universal problem at all levels of intergovernmental relationships in education. This problem is so pervasive that it has been treated in Chapters 1 and 2 through the use of traditional methods of research, including the use of secondary sources of information and conclusions from previous research. To deal with the topics of these chapters solely within the limitations of the project research instrument returns was not sufficient, even though the instrument returns are valuable as resources.

When this treatment of the timing and coordination of program authorizations and appropriations was adopted, it resulted in a change of the ground rules for rating the items of the research instrument under the *program* centered approach. The problem of timely coordination had become almost a constant factor for purposes of rating the categorized items of the instrument. The ground rules, as explained in the orientation sessions and seminars, called for rating operating programs as they have been understood or experienced. The administration of these programs had survived the traumas of initiation. As far as staff "jawboning" could bring it about, the exasperating delays and frustrations in receiving authority and funds to implement all programs were specifically ruled out and were excluded for use in the final ratings by the state project committees. However, to ignore this pervasive influence altogether was fully recognized as impossible, but emphasis on the rating of ongoing programs that had survived such agonies made it possible to concentrate the ratings on other than the failures of timing and coordination suffered before the programs began.

The Human Element

Another area that called for a *problem* centered chapter concerns human elements in the processes of management and administration. Ingenious and alert administrators can make poorly structured programs successful, just as mediocre and slow-footed administrators can mismanage well-coordinated and organized structure into poor end results. These factors are important, but the rating scale as applied to the research instrument is poorly adapted for their presentation and evaluation.

The ground rule for the seminars was that a wide range of effectiveness in managerial and administrative performance is found in any large number of administrators of intergovernmental programs at any level of government. As the state committees were in no position to evaluate the relative effectiveness of administrators in rating items of the instrument, they were urged to give only secondary importance to unusual effectiveness or unusual incompetency of individual administrators at any level. These human factors are dealt with in Chapter 2.

The Research Instrument

The project staff developed the principal research instrument for the project after reviewing the laws, regulations, administrative rules, guidelines, and state plans for Titles I, III, and VI of the Elementary and Secondary Education Act of 1965 and for the Vocational Education Act of 1968, all as amended. Following a modified deductive systems analysis approach, 215 typical items, selected from these four laws and their regulations and other authoritative sources, were used to present representative details of the administrative and managerial frameworks within which they operate. The sampling of items stressed dealt with intergovernmental administrative patterns and activities rather than those raising highly controversial policy issues or those appearing to be so general and pervasive that *problem* centered chapters could explain them more adequately.

The Rating Scale and Its Use

The rating scale was developed to enable the state and local administrators of the eight state project committees to evaluate each item in terms of its relative *supportive* or *deterrent* effects on state and local achievement of the purposes of the laws. The rating scale applied throughout the research instrument was as follows:

1. Strongly supports achievement of program objectives.
2. Permits reasonable achievement of program objectives.
3. Mildly retards achievement of program objectives.
4. Strongly retards achievement of program objectives.

Each rating is designated by its number in the rating scale, e.g., a rating of 2 indicates that a given procedure "Permits reasonable achievement of program objectives," while a rating of 3 describes one that "Mildly retards achievement of program objectives." Ratings 1 and 4 indicate the wider differences between "Strongly supports" and "Strongly retards" program objectives. The total of the ratings of any item divided by the number of persons who rated that item indicates the average rating for that item by that group.

The rating scale initially was applied to only the four programs, ESEA Titles I, III, and VI and the Vocational Education Act of 1968. Some of the items from these programs were separated for one reason or another. To eliminate repetition of items in the instrument, Section I received those items that applied to most of the four titles and many other categorical programs.

The items placed in the sections on Special Funding Provisions and Public Participation also were taken from the original four programs. They appeared to be more amenable to accurate rating when considered together, rather than separately, within each of the four program sections. It also is believed that readers will understand the problems better in this context. The special steps explained in this chapter were taken to ensure maximal authenticity in the items rated and maximal objectivity in the ratings presented in the tables of this report.

The project policy committee served as a tryout group for Section VII of the instrument on September 3, 1970. Members of the committee rated the items alone several days in advance and brought their marked instruments to the meeting. Each item was then read aloud and discussed by the entire group in a seminar session. After the discussion on each item, all members were urged to reconsider their ratings in view of the discussion and, if they so desired, to change their ratings. The consensus was that two professional administrators who disagreed strongly about a highly controversial policy could give the same rating to a given item involving it, provided they had a similar understanding about the operating effectiveness of its administrative patterns and activities. The ground rules asked them to exclude their own ideas of what they favored as a *policy* and to rate exclusively the relative effectiveness of the administrative patterns and activities raised by the item.

After the meeting with the policy committee, the ground rules calling for discounting individual policy preferences in applying ratings were strongly urged upon all local and state committee members, both in writing and orally, by the project staff. It is believed that the members, with very few exceptions, made strong efforts individually to rate only administrative effectiveness without regard for personal viewpoints about policies and controversial issues.

The trial draft instrument and instructions for the use of its rating scale were widely discussed, edited, and revised by the staff. The first draft was then field tested with the state project committees of Pennsylvania, Arkansas, and Michigan, all of which had sponsored orientation sessions with the project staff. Copies were completed individually prior to the orientation. The results were tabulated, items were dropped, amended, or added, and the instrument was completely revised. The second draft was then field tested with the state project committees of Maryland, New Hampshire, and North Carolina, which also had sponsored previous orientation sessions and completed individual research instruments in advance. Eventually, during October and November of 1970, the final revision as it appears in this report was administered to the eight state project committees. The procedures were similar to those in the tryout sessions with the project policy committee and the six tryout states. The tabulated returns exhibited in Chapter 4 of this report are the statistical data produced by the research instrument, with analyses and commentaries accompanying each table.

The orientation conferences, tryout seminars, and seminars following the rating of the items in the final research instrument provided a sound basis for the statistics presented. Other sources of information, however, were taken into account in the analyses and commentaries. These included the information supplied by the 109 members of the eight state committees in formal and informal discussions with the project staff. Comments on controversial issues, illustrations of how administrative and management problems were dealt with in the state departments and school districts represented, and general discussions related to the items in the instrument but not necessarily germane to the ratings left impressions noted and remembered by the project staff. The analyses and commentaries necessarily reflect the experience of the staff, as well as the ratings of the state committees.

The State Project Committees and Their Work

The project involved state and local educational administrators from each of the eight states participating. The chief state school officer and the state coordinator of federal programs usually made the selections of both the members from local educational agencies and those representing the state education agency. It was suggested that six or seven of the committee members would come from the state education agency and that an equal number would be local federal coordinators, administrators of federal programs, fiscal officers, and superintendents of schools. The number of members from each state varied from 11 in Maryland to 16 in Michigan. Of the total 109 members of the eight committees, 55 came from state agencies and 54 from local agencies.

The state agency members were selected for their expertness and experience, with particular emphasis placed on choosing those who administered the four programs dealt with in the instrument and a few general officers wise in the ways of the state agencies and their federal and local relationships. The local members were selected for their known ability to contribute to candid discussions on important administrative problems and issues. They came from suburban, urban, and rural areas, and from several regions of each state. Special efforts were made to involve state and local fiscal officers. The chief fiscal officer of the state agency often was not available, although one coordinator who presided at all the committee meetings in his state held that position. Other fiscal officers participated in the planning project and to a considerable extent in the orientation conferences held with the project committees of the states.

In one state special conferences were called to select local committee representatives from the entire state and representatives from within the state agency. Half a day was spent in discussing the project and nominating members from the state agency to represent the state, while in another half-day session the state representatives considered local administrators throughout the state and agreed on the local membership of the committee.

As the eight state committees worked with the staff in successive test runs and instrument revisions, there were only a few dropouts from the committees although the work was difficult and time consuming. In the administration of the final instrument, attended by the 109 members of the eight state committees, it was apparent that a good sampling of the higher ranges of administrative ability and experience from both the state and local levels was represented.

Administration of the Final Instrument

The final sessions of the work of the eight state committees will be described in some detail, for the products of these meetings are the only instrument results reported. All preceding work was preparatory for these sessions. As had become the practice in the tryout sessions, the revised and final edition of the instrument was mailed to each committee member approximately seven to ten days in advance of the sessions scheduled to complete the work of the committee. Each member marked his instrument during the period prior to the final meetings, with no limitations concerning whom he might consult or other qualifying restrictions. Each member of the committee brought his completed copy of the instrument with him to the final sessions, for which a uniform procedure was established. After the project director read each item aloud, he and the assistant project director sought to bring forth any discussion, questions, or comments that might be of assistance in rounding out the information on that individual item. Each committee member was urged to use the accumulated evidence presented by other members to change his rating should he have changed his mind about the objectivity or authenticity of his first, tentative marking.

The questions asked by the staff were intended to encourage pro and con discussion on important issues. Comments were invited that might round out the evidence or furnish information which would clarify the rating an item might deserve. Special efforts were made to refer questions on the administration of specific federal programs to those persons who were administering them for a local or state agency or to other persons who had intimate knowledge of their administration.

In order to work effectively within the limited time available, the staff often sought the range of the ratings immediately after an item was read. How many marked this item 1? How many marked it 2, 3, 4? Why did you mark it 1? Or why did you mark it 3? Spirited discussion emerged from the dry and formal legal wording. Frequently, when the spokesmen for those who had marked the item high had met the spokesmen for those who contended that it should be given a low rating, there were changes in the marking. Sometimes a person who had missed an important point would change from a 1 rating all the way to a 4, or from a 4 all the way to 1. However, changes usually were more moderate. The two staff members participated freely in the discussion of all the 22 state-local meetings which were held. Those who cared to express views were urged to do so within the limited time that could be given to a single item.

The administration of the final instrument required a minimal seven hours to a maximal twelve hours among the eight state committees. Considering the experience already gained in the orientation and tryout sessions, as well as the opportunities to study and discuss the items before the final seminar was held, there was enough time for quite complete consideration.

Tabulation

The 109 instruments delivered to the staff at the end of the eight final seminars contained an opportunity for making a total of 23,435 item ratings. Of these, 23,134 were marked, leaving only 301 unmarked. The omissions were often explained, usually on the ground that knowledge about one or more particular items in a particular field, even after the discussions, could not ensure that the person could rate those items with certainty.

A few conclusions from the data will be presented here in general terms. One is that the differences between the ratings of the state and local members in each of the eight committees did not vary as widely as the staff had anticipated. Nevertheless, it was decided that the separate tabulation of the state members and the local members of each committee might in some instances be instructive. These are found in the tables of Chapter 4 for all the items of the instrument.

Another question may arise concerning the differences in the returns from state to state, particularly from states in the various regions of the country represented among the state committees. The impression of the staff is that regional differences, although discernible in some respects, were considerably less than anticipated. In regard to the same materials developed with the same methodology, orientation, and discussion, including what amounted to cross-examination, the basic approaches to supportive or deterrent administrative patterns and activities were regarded by the state committees quite substantially the same in one geographic region as in another. Their experiences had been astonishingly similar. They were all educational administrators, dealing with the same programs, and the professional bonds among them were strong. The differences that became apparent were seldom those concerning administration; most of them centered on general issues, such as tax funds for nonpublic schools. Both written and oral instructions for rating the items of the instrument stressed that only the effects on the administration of operating programs were to be rated, and that those ratings would be the same if personal ideologies were disregarded. Again, these data are in the tables for those who have the time and inquisitiveness to ferret them out.

Evaluation of the Results

The returns have sorted out with some accuracy the administrative patterns that strongly support program objectives from those which mildly or strongly retard program objectives. On individual items this sorting often is specific and extremely persuasive, but most of the 109 participants tended to follow a middle ground on a majority of the ratings.

In the instruments there were 23,134 item ratings. Among these there were 7,362 items rated 1; 9,504 rated 2; 4,333 rated 3; and 1,935 rated 4. A study of the statistics will show that often no particular bias could be specifically related to the results of the tabulations. In many of the planning phase and early project sessions, questions were frequently asked about biases and how to discount them. The staff encouraged discussion of biases and urged that they be disregarded in rating the items. This was done during the orientation sessions, during the preliminary tryouts of the tentative instruments, and during the final seminars as tabulated in this report.

One necessarily general bias in the study can be inferred from the fact that all the committee members were professional educators, administrators of federal-state-local programs, or both. As such, all of the participants were in a sense evaluating their own profession, and some were evaluating their own programs. Under these circumstances, the ratings naturally tend to cluster toward the more favorable end of the scale. Widespread differences in evaluating administrative patterns and activities in intergovernmental educational programs grew out of individual differences in backgrounds and attitudes toward federal participation and influence, toward state participation, and toward local operations and policies. There were other intramural professional biases present, such as those of individuals coming from different grade levels, subject emphases, and even teaching methodologies. It is inevitable that most persons tend to identify with the programs in which they work and to support the educational activities of people, institutions, and traditions which they know.

Neither can there be precise mathematical or other conclusive proof of the supportiveness or the deterrence exercised over the program results by the administrative items listed and rated. Although the staff could encourage the recognition and abandonment of bias as far as possible in rating the administrative patterns and activities, there was no way to count the effects. An administrative situation in one school district and a similar administrative situation in another might call for different ratings because of other differing conditions. There could be different local policies and constraints expressed through local board actions. There could be differences for any of the reasons that educators find sufficient to support disagreements among themselves as often as the persons in any profession. These divergencies cannot be settled through any exact measurement. In view of all the circumstances, however, these 23,134 ratings can be meaningful in practice as they have been presented in the several sections of this report.

The item ratings in each of the seven tables have been ranked from the highest to the lowest in terms of their administrative helpfulness. Whatever the absolute ratings or the average of those ratings may be in a particular section, such rankings have been useful in sorting out the most helpful and the least helpful among the items dealing with each of the programs or particular areas of administrative activity.

Postscript

A postscript may be of assistance to anyone who may use the modified deductive systems analysis approach described in this chapter and in Chapter 4. The project director suggests that selection of clusters of items for analysis in terms of their effects on attainment of educational objectives might be centered on administrative problems of moderate scope. Illustrations from this study are the possible elements of flexible effectiveness in state plans developed on the basis of federal-state-local cooperative planning as related in Section IV; the unnecessary paperwork identified in Section V;

and selection of various problems among the special funding provisions described in Section VI.

Once such manageable problems of moderate scope have been identified, the program approach through analysis of the laws, regulations, guidelines, administrative letters, and other elements of the legal and administrative structures of operating intergovernmental programs of education can provide realistic and ratable items in perhaps a more effective format than has been used in this study.

CHAPTER 4

The Study: Analysis and Commentary

This chapter presents the ratings of the 215 items comprising the research instrument by the 109 state and local administrators who constituted the state project committees of Arkansas, Kansas, Maryland, Michigan, New Hampshire, North Carolina, Pennsylvania, and Utah. The rationale and procedures have been described in Chapter 3. The ratings are reported in seven statistical tables, each supplemented by an analysis and commentary prepared by the project staff, as follows:

Section I	General Laws and Regulations
Section II	ESEA Title I
Section III	ESEA Title III
Section IV	ESEA Title VI
Section V	Vocational Education Act of 1968
Section VI	Special Funding Provisions
Section VII	Public Participation

SECTION I: General Laws and Regulations

These are administrative requirements which appear in all the federal aid to education laws to which they are applicable or their accompanying regulations. Each item included in this section is found in two or more of the four programs upon which the field study focused. Each is an integral part of the administrative process which translates a law into action. To avoid repetitive discussion and because these activities form a general framework within which the specific administrative activities of a program are carried out, these items were grouped together.

The eight state committees found it difficult to apply the rating scale to these general items. They recognized and accepted the necessity for allocations of administrative responsibilities among the three levels of government, with certain controls at each level. Problems are believed to result from the appropriateness of the government level to which the responsibility is assigned.

The discussions and comments in the state committee meetings frequently reflected specific problems faced by some committee members in their administration of federal aid to education

General Laws and Regulations

	STATE						LOCAL						COMBINED					
Item Number	Ratings				Average Rating	Rank Among Items	Ratings				Average Rating	Rank Among Items	Ratings				Average Rating	Rank Among Items
(Research Instrument)	1	2	3	4			1	2	3	4			1	2	3	4		
A.1	23	19	12	1	1.836	14	25	21	4	4	1.759	9	48	40	16	5	1.798	13
2	37	15	3	0	1.381	2	38	12	2	2	1.407	2	65	27	5	2	1.394	2
3	23	24	5	3	1.781	13	30	17	5	2	1.611	8	53	41	10	5	1.697	9
4	14	22	15	3	2.129	18	20	20	9	5	1.981	15	34	42	24	8	2.055	17
5	23	27	5	0	1.672	8	18	26	8	2	2.037	16	41	53	13	2	1.853	14
6	24	21	10	0	1.745	12	28	18	7	1	1.777	12	52	39	17	1	1.761	12
B.1	37	17	1	0	1.345	1	28	23	0	3	1.592	7	65	40	1	3	1.467	3
2	23	25	6	1	1.727	10	36	14	3	1	1.425	4	59	39	9	2	1.577	6
3	24	25	3	3	1.727	10	25	19	8	2	1.759	9	49	44	11	5	1.743	11
4	14	23	16	2	2.109	17	11	23	12	8	2.314	18	25	46	28	10	2.211	18
5	36	13	6	0	1.454	3	23	20	8	3	1.833	13	59	33	14	3	1.642	8
6	29	23	3	0	1.527	5	30	23	1	0	1.462	5	59	46	4	0	1.495	4
7	31	23	1	0	1.454	3	40	14	0	0	1.259	1	71	37	1	0	1.357	1
8	24	25	3	2	1.654	7	27	22	2	1	1.557	6	51	47	5	3	1.607	7
C.1	23	24	6	1	1.722	9	19	31	2	2	1.759	9	42	55	8	3	1.740	10
2	18	23	10	3	1.962	16	14	25	10	4	2.075	17	32	48	20	7	2.009	16
3	17	29	6	2	1.870	15	19	21	12	2	1.944	14	36	50	18	4	1.925	15
4	26	26	1	1	1.574	6	32	20	1	0	1.415	3	58	46	2	1	1.495	4

Explanation of How Average Ratings Were Computed:

On Item A.1: 23 committee members rated it 1; 19 rated it 2; 12 rated it 3; and one member rated it 4. With each rating represented by its own number, 23 X 1 + 19 X 2 + 12 X 3 + 1 X 4 equals 101 rating scale points. Dividing 101 by 55, the number of state staff members who rated the item, produces an average *State* rating of 1.836. Similar computations produce an average *Local* staff rating of 1.759 and an average *Combined* rating of 1.798.

programs as well as more general ones inherent in the law or regulations. The ratings for this section are affected by the fact that a single item may apply to a wide range of unidentified programs, some easy and others difficult to administer successfully. There is some question that the rating scale applies as well to the items in this section as to those that follow.

The 18 items in Section I were rated from 1.357 to 2.211 on a 1 to 4 rating scale. These ratings indicated that, in the opinion of the eight state committees, the items under consideration ranged from supporting achievement of program objectives to slightly retarding them.

Administrative Responsibilities of the U.S. Commissioner of Education

Item A-1 states that the U.S. Commissioner is required to establish basic criteria, based on law and regulations, by which state agencies must be governed when they are authorized to approve local applications for programs or projects. Committee members, rating it 1.798, believed that basic criteria are appropriate, but they objected quite strenuously to criteria which are too detailed or specific to be applied uniformly or equitably in the widely disparate circumstances found in thousands of local agencies. The committees favored federal criteria designed to permit state agencies latitude in their application. Some state representatives suggested that each state agency submit its own criteria, developed in conformity with the law and relevant to its local agencies, for the Commissioner's approval.

Item A-2, stating that the U.S. Commissioner must afford a state agency an opportunity for a hearing before its application for funds authorized under any law is finally disapproved, was rated 1.394. Committee members believed that a state agency's right to be heard at the highest administrative level before a final decision has been made is necessary to protect the state agency and the local agencies which are usually affected.

Item A-3, rated 1.697, describes the Commissioner's right to reallot funds unused by one state among other states. In the past, reallotment has created situations in which the rich became richer while the poor were penalized by their inability to match federal funds or otherwise mobilize resources needed to utilize the funds satisfactorily. Legislation passed in April 1970, permitting unused funds to be carried over by a state for use in the following fiscal year, appears to reduce opportunities for this inequity to recur. However, if a state is unable to use its allotment for a prescribed purpose during a reasonable period, the committees considered it more desirable for other states to use the money for the same purposes than to have it return to the federal treasury.

Item A-4 states that the Commissioner has general authority to make enforceable administrative rules that elaborate on and define policies and procedures covered by the law and regulations. The rating of 2.055, next to the lowest among the 18 items, does not question these rights of the Commissioner, but it probably reflects a variety of hardships suffered by state and local agencies as a result of exercise of this authority.

Item A-5 describes the Commissioner's authority to withhold funds if he determines there is substantial failure to comply with the applicable title or Act unless he is prohibited from doing so by statute. The rating of 1.853 again reflects the variety of problems which can result at the state and local levels from such an action.

Item A-6 notes that when a program is administered under a state plan, federal funds must be expended in accordance with applicable state and local laws, rules, regulations, and standards. The rating of 1.761 probably reflects the strong belief of the committees in the autonomy of state and local government. It also reflects some negative attitudes concerning problems in connection with red tape and delayed funding by state agencies, which are too often present in the state-local finance systems. Some individuals expressed approval of the flexibility that permitted local agencies to make exceptions, at their own discretion, to allow school administrators to experiment with new approaches to old problems.

Administrative Responsibilities of State Agencies

Item B-1, rated 1.467, states that a state agency must ensure that a project application from a local agency meets the basic criteria established by the Commissioner before funds for the project may be released by the state. The committees acknowledged that this requirement is reasonable and desirable to avoid the possibility of having a local agency inadvertently in conflict with federal requirements. It was viewed as especially helpful to many small local agencies which may not have a resident expert to interpret federal laws and regulations.

Item B-2 describes the requirement that a state agency must provide a local agency with opportunity for a hearing before it finally disapproves any application in whole or in part. It was rated 1.577. It is interesting that this requirement, designed to safeguard the rights of local agencies, was rated lower, at 1.727, by state agency representatives on the committees than by persons from local agencies, who rated it 1.425. The ratings of state and local representatives for Item A-2, which deals with the same requirement applied to state applications submitted to the U.S. Commissioner, were much more similar; the state agency people rated Item A-2 at 1.381, and the local agency people rated it 1.407.

Item B-3 cites the requirement that a state agency must assure that federal funds supplement, rather than supplant, funds from state and local sources. It was rated 1.743. The principle of this requirement was approved by the committees even though its application does cause occasional problems. Some local administrators have been unable to meet serious needs because their budget flexibility is reduced by this limitation.

Item B-4, rated 2.211, describes the requirement that before making payments to a local agency, a state agency must find that the combined state and local fiscal effort for the preceding year has not been less than for the second preceding year. This requirement is based on the assumption that the economy will continue to expand, although the experience of local agencies since 1969 does not bear this out. One committee member related a situation in which a school board became so concerned about being unable to fulfill this requirement that it voted not to accept a one-time "windfall" of money which could have been used to improve school libraries.

Item B-5, declaring that a state agency may establish its own regulations and guidelines for programs and projects within the state, insofar as these do not conflict with federal laws, regulations, or enforceable administrative rules, was rated 1.642. State agency personnel rated this much higher, at 1.454, than did local administrators, who rated it 1.833. Local administrators recognized the right of a state agency to make additional regulations, but they believed they were subject to so many detailed federal requirements that a state agency ought to avoid placing additional burdens upon them. Some expressed a desire for broader, less detailed federal regulations which could be adapted by a state agency's guidelines to meet that state's particular needs.

Item B-6, rated 1.495, requires a state agency to provide state and local fiscal controls and accounting procedures to assure proper disbursement of federal funds under a state plan. The high rating reflects the belief of committee members that the state must be accountable for funds it distributes.

Item B-7, rated 1.357, notes that a state agency must provide that expenditures made under a state plan will be audited by an appropriate state audit agency or other qualified public accountant. In the opinion of the committee members, this item is a sine qua non of good administration.

Item B-8, rated 1.607, cites a state agency's right to appeal the action of the Commissioner on a state plan in the U.S. Circuit Court of Appeals when dissatisfied, and thereafter to appeal further to the U.S. Supreme Court. The concept of the right to redress was strongly approved by the committees, but the possible loss of use of funds during a protracted judicial process was disturbing. The right of the state agency to go to court is an incentive to both parties to reach a settlement.

Administrative Responsibilities of Local Agencies

Item C-1, stating that a local agency must meet the legal requirements of applicable federal and state laws, regulations, and administrative rules in its applications, its administration of programs, and its program of accounting and reporting of intergovernmental funds, was rated 1.740. Committee members agreed that this requirement is reasonable, but they expressed strong feelings that its accomplishment is increasingly difficult as details are continuously multiplied or expanded. There is a limit to the amount of administrative paperwork which is possible and necessary. That which extends beyond the bounds of reason ought to be eliminated.

Item C-2, rated 2.009, requires a local agency to credit to the federal government all proceeds, but not less than the fair market value, received from the sale of property inventoried to a federally funded project. While committee members recognized the continuing federal interest in property purchased with federal funds, they believed that this requirement costs more in administrative time and energy than the worth of its results to the federal government. The federal government could place a reasonable minimum limit on affected items. It could also recognize the fact that certain items no longer needed in a specific project may have far greater value used in other educational programs than they would have in terms of proceeds at fair market value to the federal government.

Item C-3 notes that a project involving children from both public and private schools carried out in public facilities must make reasonable efforts to avoid classes which are separated by school enrollment or religious affiliation of the children. Committee members, rating it 1.925, were in accord with the principle, but they believed that "reasonable efforts" is vague and open to varying interpretations. They considered it more important to ensure maximum pupil participation with minimum disruption of other school activities. They opposed both deliberate mixing and separation, believing that the convenience of the children was of primary importance.

Item C-4, rated 1.495, cites the requirement that a local agency must maintain administrative control and direction over services provided by public school personnel in other than public school facilities. Committee members agreed that this is essential, as local agencies are the accountable agents.

The items in this section are part of a general framework within which the programs examined operate. The most frequent concern expressed by committee members was that parts of the framework appear to be expanding so greatly that they overshadow the structure and intent of the programs. When this happens, it is almost inevitable that administrative activities displace the more important functions of educators.

SECTION II: Title I

Title I of the Elementary and Secondary Education Act authorizes financial assistance to local education agencies serving areas with concentrations of children from low income families. This program has been administered by state education agencies, under assurances of compliance with law and regulations, since its passage in April of 1965.

The 31 items dealing with the responsibilities of the three levels of government involved were rated from 1.504 to 2.768 on a scale of 1 to 4. The ratings indicate that more than half of the items permit reasonable achievement of program objectives. Most of the items rated as retarding achievement of program objectives describe fiscal requirements or administrative activities related to allocation of funds, to evaluation of programs, and to participation of children who attend nonpublic schools.

Administrative Responsibilities of the U.S. Commissioner of Education

Item A-1, stating that the Commissioner must approve an application by a state agency to qualify a state to participate in the grant program under Title I, received the second highest rating. In the view of committee members, it permits reasonable achievement of program objectives for two main reasons: first, the state agency is given the authority to administer the program; and second, the application submitted is a set of assurances which do not demand unrealistic amounts of time and energy for completion.

The Commissioner's responsibility for determining the maximum grant which each county in a state is eligible to receive under the formula in the law, as described in Item A-2, rated 2.196 and was seen as retarding the program. Allocation of funds by county is efficient only in those states in which counties and school districts are coterminous. For other states, it is an unnecessary and delaying procedure because the state agency must recompute the allocations on the basis of the school districts. A single state allotment probably could be determined more quickly at the federal level. Some state and local administrators believe that needs are not always best reflected in the figures used in the present formula and that the state agency could do a more effective job of allocating funds according to needs if it were permitted some discretion.

Title I programs for the children of migratory agricultural workers are the responsibility of the state agency. Item A-3, which states that the

ESEA, Title I

	STATE						LOCAL						COMBINED					
Item Number	Ratings				Average Rating	Rank Among Items	Ratings				Average Rating	Rank Among Items	Ratings				Average Rating	Rank Among Items
(Research Instrument)	1	2	3	4			1	2	3	4			1	2	3	4		
A.1	26	26	1	0	1.528	6	30	19	3	2	1.574	2	56	45	4	2	1.551	2
2	14	20	17	3	2.166	27	13	20	15	5	2.226	22	27	40	42	8	2.196	23
3	14	26	13	0	1.981	17	17	28	7	2	1.888	17	31	54	20	2	1.934	18
4	20	29	5	0	1.722	10	20	26	7	1	1.796	15	40	55	12	1	1.759	11
5	12	28	10	2	2.038	20	5	25	19	5	2.444	28	17	53	29	7	2.245	26
B.1	14	26	12	1	2.000	18	27	18	8	1	1.685	10	41	44	20	2	1.841	15
2	23	22	8	1	1.759	13	25	21	6	1	1.679	9	48	43	14	2	1.719	9
3	20	29	5	1	1.763	14	21	26	6	1	1.759	13	41	55	11	2	1.761	12
4	12	28	13	2	2.090	22	10	15	25	4	2.425	27	22	43	38	6	2.256	27
5	16	31	7	1	1.872	16	19	28	6	1	1.574	2	35	59	13	2	1.834	14
6	24	24	4	2	1.703	9	27	22	4	1	1.611	5	51	46	8	3	1.657	7
C.1	26	22	3	4	1.727	11	8	23	17	6	2.388	26	34	45	20	10	2.055	20
2	26	21	8	0	1.672	8	22	21	10	1	1.814	16	48	42	18	1	1.743	10
3	34	16	5	0	1.472	1	31	18	4	1	1.537	1	65	34	9	1	1.504	1
4	11	29	12	2	2.092	23	24	21	9	0	1.722	11	35	50	21	2	1.907	17
5	35	14	4	2	1.509	3	27	17	7	3	1.740	12	62	31	11	5	1.623	6
6	14	28	9	4	2.054	21	10	19	18	6	2.377	25	24	47	27	10	2.212	24
7	29	21	4	0	1.537	7	19	26	7	1	1.777	14	48	47	11	1	1.657	7
D.1a	31	19	4	0	1.500	2	26	21	6	1	1.666	7	57	40	10	1	1.583	4
1b	16	20	15	3	2.092	23	9	27	13	6	2.333	24	25	47	28	9	2.212	24
2a	32	19	2	2	1.527	5	26	21	6	1	1.666	7	58	40	8	3	1.596	5
2b	34	16	3	2	1.509	3	27	20	6	1	1.648	6	61	36	23	8	1.577	3
3a	25	23	3	4	1.745	12	16	25	9	4	2.018	19	41	48	12	8	1.880	16
3b	12	27	12	4	2.145	26	13	26	11	4	2.111	20	25	53	23	8	2.128	22
4	6	20	16	12	2.629	30	4	16	20	14	2.814	31	10	36	36	28	2.722	30
5	5	14	25	10	2.740	31	2	17	25	10	2.796	30	7	31	50	20	2.768	31
6	6	21	22	5	2.481	29	5	19	24	6	2.574	29	11	40	46	11	2.527	29
7a	16	24	11	3	2.081	19	18	23	12	1	1.925	18	34	47	23	4	1.972	19
7b	18	29	4	2	1.811	15	21	25	6	2	1.574	2	39	54	10	8	1.803	13
7c	11	22	8	12	2.396	28	11	24	13	6	2.259	23	22	46	21	18	2.327	28
7d	14	25	9	5	2.094	25	12	26	14	2	2.111	20	26	51	23	7	2.102	21

Commissioner must approve applications for these programs, ranked 18 out of 31. Some members of the committee believed this requirement intruded on a state agency's autonomy. Others, however, recognized the necessity to assure that these programs, several of which may serve a single group of children as they travel with their parents, have some continuity among the states along a particular migratory route.

The right of the Commissioner to make grants to other public or private nonprofit agencies to provide programs for migratory children if the state agency is unwilling or unable to conduct such programs, as described in Item A-4, was considered to permit reasonable achievement of program objectives. The option received the support of the majority of the committee members because it recognizes the need to serve these children continuously as they move from state to state.

Item A-5 is based on Program Guides #44 and #45-A, issued by the Bureau of Elementary and Secondary Education. In these guides the Associate Commissioner urged local agencies to assume full financial support of services initiated under Title I when they are extended to children residing in nonproject areas, in order to release Title I funds to provide new activities for eligible children. This is a corollary to the concept that Title I funds should supplement, not supplant, state and local funds.

The state committees rated A-5 as mildly retarding achievement of program objectives. The representatives of local agencies rated it lower than those of state agencies. Some local administrators thought this delayed the adoption of successful Title I program activities because the local agency could not assume simultaneously the cost of the program in target schools and the cost of expanding it to include non-Title I schools. They believed that permitting a gradual transition from Title I funding while the program was being expanded would better serve all children. This was of special concern to those local administrators who had needy children from low income families in schools outside the Title I project area.

Responsibilities of the State Agency

Item B-1 states that the state agency must allocate "county aggregate maximum grants to local education agencies within each county on the basis of statutory criteria." Both state and local committee members rated this item as permitting reasonable achievement of program objectives. However, state agency staff members rated it lower. Some state agencies have had difficulty getting from other state or local agencies the information needed to make the allocations. Some state Title I administrators believed that a thorough review and revision of the present statutory criteria for allocation of funds within a state might support achievement of program objectives more effectively.

Item B-2 cites a regulation requiring the state agency to redistribute funds not used by one local agency on the basis of its determination of actual needs in other local agencies. It was rated at 1.719, so that it ranked 9 among the 31 items. For purposes of redistribution, "need" is usually defined by state Title I administrators as the gap between the cost of proposed program activities and the funds available. The local agency which submits proposals for activities it would undertake if funds were available often benefits from reallocation because it demonstrates preparedness to utilize the funds as well as need. There are no federal criteria for determining need for reallocated funds.

Item B-3 refers to a regulation requiring that the state agency assure that state and local evaluation reports will be made to the Commissioner on a periodic basis. This item was rated 1.761 by the committees.

Item B-4 requires that state and local evaluation reports include the results of objective measurements of progress toward meeting the special educational needs of Title I children. This requirement was rated 2.256, ranking 27 out of 31 items in the opinion of the state committees. The problems most often expressed by committee members who work with Title I evaluations were those encountered in making objective measurements of the benefits of some types of Title I activities and in trying to isolate the influence of Title I from the influences of other programs in which many Title I children participate. These difficulties have been ameliorated in some school divisions which write their Title I programs in terms of behavioral objectives and establish measures to gauge achievement of these behavioral objectives at the time the program is written. By taking this route, a school division is able to pretest and and posttest the pupils in the skills selected for emphasis in the Title I project and measure individual progress. Although the influence of Title I is not isolated by this technique, it has the advantage of measuring the growth of individual children.

Item B-5, a regulation requiring that the state agency make available for public inspection the terms and provisions of each approved project, was rated as permitting achievement of program objectives. It ranked lower, 16 among 31 items, among the state agency staff members' ratings than it did among those of local administrators, who ranked it second among 31 items.

The routing of all federal Title I materials, such as forms, guidelines, and reports, to state agencies for distribution to local agencies is described in Item B-6. Committee members rated it at 1.657, ranking it 7 among the 31 items. This enables state agencies to keep informed of all actions in Title I and permits them to distribute materials in the most timely and appropriate method for their respective states.

Local Agency Responsibilities

Item C-1 is a regulation that requires the local agency to take a census of children from low income families as defined in Title I. Members of the state committees who serve as local school administrators rated this as mildly retarding achievement of program objectives at 2.388, while the state agency staff members rated it higher, at 1.727. Many local administrators have found parents reluctant to reveal their income to the schools, with some resenting what they consider to be an invasion of privacy.

Item C-2, stating that the local agency must determine the school attendance areas to be designated as project areas according to the definitions in the regulations, was rated at 1.743, indicating that it permits reasonable achievement of program objectives. Although there is widespread support for the legal requirements to concentrate Title I programs in schools serving the greatest numbers of pupils from low income families, many committee members expressed concern for the educationally deprived children who cannot be served by Title I because of an accident of residence in a less concentrated area of poverty.

One state committee strongly supported the selection of local Title I children by the local agency, suggesting that they could best achieve the purposes laid down by the law, regulations, and federal criteria in choosing children of greatest need on a nondiscriminatory basis. The state agency would make assurances to the Office of Education that the requirements would be met by the local agency. The evidence of the evaluations reported from each local agency would receive careful state and local attention. The general concern for the needy children not served under the current system was expressed in the discussions about nearly all items dealing with concentration of services. This might suggest that school administrators have a strong social conscience which is not assuaged by partial resolution of problems, but it also might indicate that they believe they could improve the current selection practices.

Item C-3 cites a regulation requiring that a local agency develop its Title I program specifically to meet the special educational needs of those educationally deprived children who have the greatest need of assistance. This item was rated 1.504, ranking it 1 of the 31 items on Title I. There was almost universal agreement among committee members that this regulation is necessary to assure that the program achieves its stated objectives. The ways to find these children and to serve them are the issues, rather than the principle of serving those in greatest need of educational assistance.

Item C-4 states that a local agency may include in the Title I program children who reside outside the project area only if their participation will not dilute the effectiveness of the program with respect to children residing in the project area. The committee members rated this item at 1.907, with the state agency administrators rating it lower than local administrators. Many committee members viewed it as an administratively difficult but necessary constraint to prevent dilution of the program. No approach toward using local knowledge of need and administrative feasibility has been attempted, even experimentally, since the beginning of the program in 1965.

Item C-5 refers to a regulation that a local agency must design a program to meet one or more of the special educational needs of educationally deprived children, rather than to meet the needs of a student body or a specified grade in a school. The state development committees rated it at 1.623, which ranked it 6 among the 31 items. It received a higher rating from state personnel than from local administrators. There was evidence in the discussions that the state Title I administrators found this federal regulation useful for strengthening their positions in dealing with local administrators about approvable project activities.

The question of administrative patterns and activities in the involvement of nonpublic school children is raised in Item C-6. A local agency must provide for appropriate participation of educationally deprived children residing in its attendance area who are enrolled in private schools. The item was regarded as mildly retarding achievement of program objectives; with a rating of 2.212, it ranked 24 out of 31 items. A substantial number of local administrators on the state committees expressed reasons for the comparatively low rating it received. The difficulties begin with the determination of eligible children. They continue with such problems as planning programs to meet needs of children about whom little substantive information is available; arranging transportation if the children are brought to the program; working out teaching schedules; using equipment on private school property if the program is taken to the children; and having insufficient funds to do the necessary job in the public schools without attempting to serve additional children. Not every local administrator faces all these problems, but most face enough of them to create an additional administrative burden.

Item C-7 cites a regulation requiring that the project application of a local agency describe the procedures and techniques to be utilized in evaluating the effectiveness of its Title I program. It was rated, with apparent reluctance, as permitting reasonable achievement of program objectives. School administrators generally lack experience in designing evaluation strategies as part of program development. Therefore, this requirement presents additional problems without offering any ready solutions. It appears that the value of the idea is not controversial and that the relatively high rating reflects few of the administrative difficulties that are almost universal.

Title I Fiscal Requirements

The Title I fiscal requirements written into the law and regulations are intended to ensure that Title I funds will be expended for the sole purpose of providing a higher level of services in local schools with high concentrations of children from low income families than the level of services provided for all children in the other schools of the local agency.

The items in Section D trace the development of these fiscal requirements. The original statute prohibited substitution of Title I funds for state funds in computing state aid to local agencies. A succession of regulations and administrative guidelines led to stricter definitions of fiscal comparability between project and nonproject areas of a local agency, as well as mandatory procedures and deadlines for its achievement. The deadlines were difficult and were not met, and the impasse led to necessary legislation.

Between 1965 and the enactment of P.L. 91-230 of 1970, federal regulations and administrative guidelines increasingly narrowed the focus of fiscal requirements. In almost every instance each successive regulation has been more restrictive than the preceding one. However, only when the state and local agencies were confronted with a hopelessly impossible task did they rise up and bring pressure on Congress to exercise its prerogatives to lay clear ground rules for the Office of Education to follow.

The original Title I law placed two conditions upon the distribution of funds. Items D-1-a and D-1-b describe conditions under which federal funds must *not* be paid:

> a. if a state included Title I funds in its computation of state aid to local agencies; or
> b. if the combined state and local fiscal effort with respect to the provision of public education by the *local agency* was reduced in the preceding year to an amount less than in the second preceding year.

The first of these two items (D-1-a) was rated 1.583 by the committees and ranked 4 among the 31 items, indicating that it supports reasonable achievement of program objectives. In contrast, the second item (D-1-b) ranks 24 out of 31, with a composite committee rating of 2.212. The high rating of the first item is an indication of general recognition and support by the state committees of the concept that Title I funds are to be in addition to all other resources. These funds are not intended to support the regular educational program for disadvantaged children, but to provide additional resources to develop more services in schools with large concentrations of children from low income families.

The low rating of the second item may be attributed to the fact that the original requirement was written during an inflationary period and caused no problems. More recently, many state and local agencies have had problems maintaining the level of past expenditures in a deflated economy requiring reductions in public expenditures.

The first regulations for Title I, written in September of 1965, required two important fiscal assurances from a local agency in its project application, as described in Items D-2-a and D-2-b:

> a. that Title I funds would supplement, and not supplant, state and local funds for use in the project area; and
> b. that Title I funds would not result in a decrease of state and local funds in the project area.

Both of these items were rated as permitting reasonable achievement of program objectives, ranking 5 and 3, respectively, among the 31 items.

Of the four items just described, the ratings of the three written to assure that Title I funds were additional money to provide additional services would indicate a consensus that this type of requirement is justifiable in terms of the purposes of Title I.

The regulations revised in 1968 intensified the efforts of the Office of Education to assure that Title I funds were used to add services in project areas by requiring, as described in Items D-3-a and D-3-b, that:

> a. the expenditure of state and local funds in project areas must be maintained at a level comparable to those in nonproject areas within the same local agency; and
> b. the state agency must enforce this requirement as part of its project approval procedures.

The state committees rated these two items 1.880 and 2.128, ranking them 16 and 22 among the 31 items, respectively. Many committee members expressed opinions that such determinations are exceedingly difficult and time consuming. State Title I administrators said that to enforce this requirement as part of project approval procedures was not a realistic expectation. Taken literally, this would require the Title I administrators in the state agency to assign staff members to visit each local agency to observe actual conditions and to review the data used as a basis for the report on comparability. Even assuming that such numbers of personnel were available, the time involved would delay the project approval process to the point beyond which local agencies would be able to implement the proposed project effectively. Further, there was no clear definition of the meaning of "comparable" as used in the regulations, although there were many, not infrequently conflicting, interpretations offered.

Item D-4 explains the mandate of Program Guide #57, dated February 26, 1970, that the state agencies require each local agency to *demonstrate affirmatively* that services and expenditures provided by state and local funds in project and nonproject areas within the district are comparable, or to submit a plan to achieve such comparability by the time schools opened in the fall of 1970. The members of the state committees rated this 2.722, within the mildly retarding range, but ranked it 30 among the 31 items. The state committees commented frequently on the unrealistic time limitations within which local agencies were required to achieve comparability.

Item D-5, also from Program Guide #57, cites a regulation requiring that the state agency submit to the Commissioner by April 1, 1970, the criteria by which local agencies would demonstrate their adherence to the requirements of comparability including relative distribution of instructional personnel, pupil services, and per-pupil expenditures in project and nonproject attendance areas. This item was rated 2.768 and ranked 31 among the 31 items. This comparatively low rating was attributed to several basic problems. State agencies were given less than five weeks to develop complex sets of criteria which would be equally applicable and satisfactory to all the local agencies in their respective jurisdictions. Some of the criteria required by the Commissioner demanded information not obtainable in most local agencies under current accounting systems. As the required criteria were not clearly defined, the state agencies had a poor foundation on which to develop their proposed method of assuring comparability. The criteria themselves were subject to challenge as valid indicators of comparability. The rating could easily have fallen into the "strongly retards" category since no state was able to meet the requirement.

Taken from the same source as the two preceding items, Item D-6 requires that Title I projects for the 1970-1971 school year be approved by the state agency only when the local agency demonstrated current or forthcoming comparability. The item was rated 2.527 and ranked 29 among 31. Insufficient time for state agencies to prepare an effective procedure and for local agencies to meet the requirements was cited as the reason for the low rating. Again, no state had approvable projects from all its local education agencies when the deadlines were reached.

Another important factor ignored by the federal mandates for quick comparability was the possible effect of sudden changes in allocations of state and local funds to the schools which might be adversely affected. In some local agencies the line between project and nonproject area condilions was quite tenuous. The educational needs of the children were similar, and the local agencies had attempted to meet those needs in the non-Title I schools by providing services to them from state and local funds, similar to some successful ones funded by Title I in the project area. In many local agencies, such efforts would have had to be discontinued because they could not be provided in both project and nonproject areas from state and local funds.

When the legislative authority for Title I was under consideration for renewal in the spring of 1970, the unreasonable mandates for comparability were brought to the attention of the Congress. Subsequently, it became a legislative as well as an administrative issue. For the first time Congress wrote into Title I a specific statement of policies and procedures regarding comparability.

The language of the law, regulations, and administrative guidelines on the subject of comparability implies that local agencies are not maintaining equalized expenditures in project and nonproject attendance areas. It may be true that local agencies have not equalized per-pupil expenditures and other criteria factors in every school of the same grade levels within the district, but it is probably not accurate to assume that this inequality always penalizes schools in a project area. It is possible that some school boards will be made aware of inequities which they may correct in favor of nonproject area schools. Thus, the stringent comparability criteria could have the effect of militating against some project areas because they may withdraw additional local effort from the project area and redistribute it to nonproject schools formerly receiving less local money.

Item D-7-a requires that state and local funds be used to provide services in project areas which, taken as a whole, are at least comparable to services provided in nonproject areas of the local agency. This item ranked 19 among 31 items with a rating of 1.972, which indicates that state committees believed it permits reasonable achievement of program objectives. There was consensus that this is an acceptable concept within the framework of the purpose of Title I to provide additional services for the educationally deprived, although the administration of the requirement is burdensome.

Item D-7-b states that any finding of noncompliance shall not affect payment of federal funds to local agencies until after July 1, 1972. It was rated 1.803 and ranked 13 among 31 items. Most members of the state committees felt that this delay in enforcement was necessary to avoid penalizing local agencies for unavoidable problems encountered in establishing comparability.

Item D-7-c states that each local agency must report to the state agency on its compliance with comparability requirements on or before July 1, 1971, and on or before July 1 each year thereafter. It was ranked 28 among the 31 items, with a rating of 2.327. The administrative time which will inevitably be consumed with collecting and compiling data for an annual report on comparability was the reason many gave for feeling that this slightly retards achievement of program objectives.

The final item in this section, D-7-d, requires that the Commissioner submit to Congress a report of a study making special reference to Title I fund distributions among counties, stating the means by which such funds may be concentrated in school attendance areas with the highest concentrations of children from low income families. The committees rated this 2.102, ranking it 21 among the 31 items. It was the general feeling that special studies tend to be time consuming and nonproductive. They also frequently are conducted without sufficient contact with those most directly involved in the administration of the program at the state and local levels.

The sections of the law and regulations dealing with fiscal controls and assurances in regard to local funds and comparable services in project and nonproject area schools were consistently rated lower than those dealing with program requirements. There appeared to be an increasing sense of frustration among local administrators who are overwhelmed by the quantity of fiscal paperwork which absorbs time they might better spend in program planning and development.

Many of the current problems in Title I administration appear to have resulted from the haste with which the program was initially established. The first year of Title I funding was chaotic. The Office of Education urged the state agencies to push the local agencies to develop any sort of program, to get the money spent as quickly as possible, thereby proving the need to spend it. This seeming madness to spend permitted some local agencies to embark on programs later viewed as less than desirable but difficult to abandon.

During the first four years of Title I, the Division of Compensatory Education staff was unable to get into the field to observe the program in action. During this period it was apparently assumed that every reported abuse was only the tip of an iceberg of similar situations. As a result, massive remedies, such as the original comparability requirements, were developed to correct a limited number of comparatively minor deficiencies. Instead of dealing specifically with a minor or occasional abuse, there has been a tendency to generate broad regulations applicable to offender and nonoffender with equal stringency. This tendency in federal regulations is, of course, not confined to those related to Title I.

The Title I administrative patterns and activities described in this instrument were generally rated as reasonable or slightly retarding. However, those which have become increasingly restrictive and demanding of additional administrative paperwork were rated consistently lower. This reverse pyramid of regulations and guidelines is viewed as threatening to overwhelm the program administrators with unnecessary administrative activities.

SECTION III: Title III

Title III of the Elementary and Secondary Education Act of 1965 authorizes grants for supplementary educational centers and services. These are intended to stimulate and assist in the provision of vitally needed educational services not heretofore available in sufficient quantity or quality, and in the development and establishment of exemplary elementary and secondary school educational programs, which then serve as models for regular school programs.

Title III has had three administrative patterns since its authorization in April of 1965. For three fiscal years—1966, 1967, and 1968—the program was administered by the Office of Education, which received applications from local education agencies and made grants directly to them. State agencies were assigned no mandatory duties by law, but the Office of Education manual delineated their role as one of providing technical assistance to local agencies. They also were entitled to review proposals submitted to the Commissioner by their respective local agencies and to make recommendations for approving or disapproving these proposals.

The transfer of Title III administration to the state agencies was one of the major amendments to the Elementary and Secondary Education Act of 1967 (P.L. 90-247). There were strong feelings for and against this transfer of administrative authority, but the forces which argued in

ESEA, Title III*

Item Number	STATE						LOCAL						COMBINED					
	Ratings				Average Rating	Rank Among Items	Ratings				Average Rating	Rank Among Items	Ratings				Average Rating	Rank Among Items
(Research Instrument)	1	2	3	4			1	2	3	4			1	2	3	4		
A.1	1	4	20	30	3.346	16	13	8	16	17	2.685	12	14	12	36	47	3.064	16
2	2	14	19	20	3.036	14	5	16	19	4	2.777	14	7	30	38	24	2.908	15
3a	7	20	22	6	2.490	8	8	22	16	8	2.444	7	15	42	38	14	2.467	7
3b	7	25	18	5	2.381	5	15	22	15	2	2.074	3	22	47	33	7	2.229	3
3c	6	23	19	7	2.490	8	12	22	16	4	2.222	4	18	45	35	11	2.357	5
3d	8	31	12	4	2.218	3	5	28	15	6	2.407	6	13	59	27	10	2.311	4
3e	23	23	7	2	1.781	1	14	32	6	2	1.925	1	37	55	13	4	1.853	1
4	8	25	17	5	2.345	4	6	23	15	10	2.537	9	14	48	32	15	2.440	6
4a	7	12	19	17	2.836	10	3	15	23	13	2.851	16	10	27	42	30	2.844	12
4b	4	28	17	6	2.454	7	2	28	19	5	2.500	8	6	56	36	11	2.477	8
5	4	13	18	20	2.981	13	5	15	21	13	2.777	14	9	28	39	33	2.880	14
6	2	17	17	18	2.944	12	4	19	21	10	2.685	12	6	36	38	28	2.814	11
7	12	16	19	7	2.388	6	4	20	21	9	2.648	11	16	36	39	16	2.518	9
8	18	26	9	1	1.870	2	19	23	9	3	1.925	1	37	49	18	4	1.880	2
9	3	12	29	10	2.851	11	17	15	14	8	2.240	5	20	27	43	18	2.546	10
10	3	8	18	23	3.173	15	9	15	19	11	2.592	10	12	23	37	34	2.877	13
B.1	23	20	8	3	1.833	7	15	26	11	2	2.000	10	38	46	19	5	1.916	9
2a	13	25	12	5	2.163	18	12	28	13	1	2.055	13	25	53	25	6	2.110	15
2b	14	29	9	3	2.018	13	14	29	8	3	2.000	10	28	58	17	6	2.009	11
2c	11	23	13	7	2.296	20	11	28	13	2	2.111	14	22	51	26	9	2.203	18
2d	14	30	7	3	1.981	9	10	29	13	2	2.129	15	24	59	20	5	2.055	13
2e	14	27	8	5	2.074	16	10	22	18	4	2.296	18	24	49	26	9	2.185	17
2f	20	19	10	5	2.000	12	13	23	12	6	2.203	17	33	42	22	11	2.101	14
2g	16	23	11	4	2.055	14	14	26	12	2	2.037	12	30	49	23	6	2.046	12
2h	19	28	5	2	1.814	6	18	27	8	1	1.851	6	37	55	13	3	1.833	6
2i	23	19	8	4	1.870	8	18	24	9	3	1.944	9	41	43	17	7	1.907	8
2j	28	22	3	1	1.574	1	21	28	5	0	1.703	2	49	50	8	1	1.638	2
2k	25	24	3	2	1.666	3	20	28	5	1	1.759	3	45	52	8	3	1.712	4
2l	28	21	4	1	1.592	2	22	24	6	2	1.777	4	50	45	10	3	1.685	3
2m	22	23	7	2	1.796	5	22	22	6	4	1.851	6	44	45	13	6	1.824	5
3	12	22	16	4	2.222	19	2	36	13	3	2.314	19	48	35	29	7	2.268	19
4	12	26	12	4	2.148	17	6	23	17	7	2.471	21	35	43	29	11	2.308	20
5	3	15	21	15	2.888	25	8	15	19	12	2.648	22	11	30	40	27	2.768	25
6	6	9	23	16	2.907	26	3	13	22	16	2.944	26	9	22	45	32	2.925	26
6a	10	19	14	11	2.481	22	4	19	21	10	2.685	24	14	38	35	21	2.583	22
6b	6	17	19	11	2.660	23	4	13	29	8	2.759	25	10	30	48	19	2.710	24
6c	9	34	4	4	2.058	15	12	25	11	5	2.169	16	21	59	15	9	2.115	16
6d	10	20	18	5	2.339	21	8	21	19	5	2.396	20	18	41	37	10	2.367	21
7	25	20	6	2	1.716	4	32	19	2	1	1.481	1	57	39	8	3	1.598	1
8	13	31	6	3	1.981	9	18	25	9	2	1.907	8	31	56	15	5	1.943	10
9	11	7	22	13	2.698	24	7	18	16	13	2.648	22	18	25	38	26	2.672	23
10	16	25	9	3	1.981	9	19	30	3	2	1.777	4	35	55	12	5	1.878	7

* The items within Parts A and B have been ranked separately for this section.

favor of state responsibility for education prevailed. The law provided for two transition years. During fiscal year 1969, the Office of Education retained control of 25 percent of the funds. Although a similar plan was made for fiscal year 1970, to complete projects which had been initiated prior to that fiscal year, administrative arrangements were made so that the state agencies administered all of the funds.

With the passage of P.L. 91-230 in April of 1970, the administrative responsibility was again divided. In fiscal year 1971 and thereafter, the state agency would administer up to 85 percent of the funds and the Office of Education would administer the balance. This law also provided for merging Title III and Title V-A of the National Defense Education Act under specific conditions spelled out in the law.

The basic administrative pattern for direct federal-local agency funding was established in the law and regulations written in 1965. The law and regulations for the administration of Title III by the state agencies, written in 1968, have not been altered substantially except to accommodate the incorporation of NDEA Title V-A. The two administrative tracks function independently of one another when responsibility for Title III is divided.

The members of the state committees were asked to indicate their preferences of the three basic patterns of administration: 79 preferred to have the state agency administer the entire program; 25 chose the 85 percent state-15 percent federal pattern; 4 favored total federal administration. This poll became necessary to interpret the ratings on Item A-9 and any others involving the 85 percent state-15 percent federal pattern of administration.

The three patterns of administration have been reduced to two, with the 15 percent set-aside portion of the current program included with the items that dealt with the former 100 percent federal-local pattern, and the 85 percent state plan portion of the current program included with the items that dealt with the former 100 percent federal-state-local program.

The ratings on the federal-local agency pattern of administration range from 1.853 to 3.064 on the 1 to 4 scale. Those of the federal-state-local agency pattern range from 1.598 to 2.925 on the 1 to 4 scale. The mean rating for items describing the administration of the program by the Office of Education was 2.530; that of its administration under a state plan was 2.162.

Federal-Local Administration

No item in this section was rated as strongly supporting achievement of program objectives; 2 were rated as permitting reasonable achievement; 14 were rated as mildly to strongly retarding achievement of program objectives.

Item A-3-e, stating that a copy of the local application must be submitted to the state agency for review and recommendations when the application is submitted to the Commissioner, was rated highest at 1.853. Although the law specifically states that the Commissioner may approve an application only if it has been submitted to the state agency for review and recommendation, there is no mandate for action on the part of the state agency or statement of the weight to be given to the state agency's recommendations in the Office of Education decision-making process. Some state agencies responded to this lack of role definition by creating their own role and working cooperatively with the Office of Education so that through informal relationships they strongly influenced decisions. Others did not choose to take an active part for several reasons. Having been advised by the Office of Education to give Titles I, II, and V priority, they had little or no staff for Title III and considered that they would exercise little influence without more than an advisory function. They approved all projects, in some cases without expressing any priorities, and left the Office of Education to eliminate the large number of projects that could not be funded.

The standard procedure of the Office of Education was to review all proposals with the state agencies before recommendations were submitted to the National Advisory Council for Title III. The Council, upon receiving the evaluations from the state agencies, the Office of Education, and reader-experts, made the final recommendations to the Commissioner for approval or disapproval of projects.

There were exceptions to the standard procedure. A state that submitted a comprehensive state plan for local projects, on the assurance that such plans would be followed, found that some local projects were unacceptable. The policy of excluding state agencies from any authority in Title III, adopted by a single vote by the national task force that developed ESEA, was followed. As the statistics below show, there were only 1,018 *operational* local projects funded out of 5,013 applications made for grants, which made few formal rejections of state approved projects necessary.

In fiscal years 1966 and 1967, local agencies submitted 5,013 applications for grants under Title III. Of these, 2,109 proposals of all types were approved by the Office of Education—890 for *planning* projects, 1,018 for *operation* of projects, and 201 "mini-grants"—according to House Document No. 398 of December 1968. The funds requested by local agencies totaled $524,651,500 of which $180,288,100 was approved for the 2,109 projects funded. The 890 planning grants received $48,125,600; the 1,018 operating projects received $127,790,900; and the 201 "mini-grants" received $4,371,600.

Item A-8, which cites a regulation requiring the Commissioner to notify in writing the applicant and the appropriate state agency of his decision on each project proposal, was rated 1.880 and ranked second highest after Item A-3-e. These are the only two items in this part of the laws and regulations which included state agencies in any way. They were assigned no mandatory administrative responsibilities.

Three conditions for approval of applications were rated as mildly retarding achievement of program objectives: Item A-3-b, that the program is consistent with criteria established by the Commissioner to ensure an equitable distribution of assistance within each state, rated 2.229; Item A-3-c, that the Commissioner determines that the proposed program utilizes the best available talents and resources to substantially increase the educational opportunities of the area, rated 2.357; and Item A-3-d, that the applicant has made provisions for participation of private school children whose educational needs are of the type provided by the program, rated 2.311. The discussions in the state committees indicated that it was difficult for the Office of Education and the reader-experts to make valid evaluations of these sections of the application because of their unfamiliarity with local conditions. Therefore, they had little relevance to the ultimate disposition of the project.

The items describing the direct relationship of the Office of Education to local agencies, bypassing state agencies, were rated the lowest. Item A-1, that all applications by local agencies must be directed to the Commissioner for approval, was rated lowest of the 16 items at 3.064. Item A-2, rated next lowest at 2.908, stated that the Commissioner would supply application forms and determine the information to be included. Many state committee members felt that the amount of information requested was excessive and that its nature was not necessarily germane to either project development or the approval process. Some statistical items were difficult to obtain and irrelevant when supplied. Parts of the narrative section of the application could not be realistically developed until a program was funded, staffed, and in operation.

Item A-5 cites the requirement in the regulations that all program and financial negotiations with the applicant local agencies be conducted by the Commissioner and his staff; and Item A-6 states that evaluation and dissemination activities are entirely the responsibilities of the applicant local agency and the Commissioner. Item A-10 declares that the state agency has no mandatory administrative responsibilities for this part of the Title III program. These three items were all rated as mildly retarding achievement of program objectives, and they ranked 14, 11, and 13, respectively, of 16 items, indicating the feeling of the committees that omitting the state agency from these activities is among the least desirable aspects of the administration of this program. In practice, those state agencies which assumed a leadership role, even without portfolio, did actively participate in program and financial negotiations. They learned that this enabled them to influence project approvals for their own states in most instances and to ascertain that none was in conflict with state laws and regulations.

Item A-7 cites the law requiring that the

Commissioner must have each project proposal reviewed by a panel of experts to advise him on its relevance in terms of innovative, exemplary, and improved approaches to education. It was rated 2.518 and ranked 9.

An interoffice memorandum circulated in the Division of Plans and Supplementary Centers in the early days of Title III indicated that their reviews, those by the experts, and those of the state agencies were to be considered of equal weight, with the program management officer having the responsibility for making a decision regarding approval when there were substantial differences of opinion. Many administrators believed that proposal review by a panel of experts was a time-consuming, nonproductive intrusion in the processing of applications. On occasion, reviews by these outside readers showed little comprehension of public education and the needs of the local school districts whose proposals they reviewed. A few state and local administrators favored the use of outside experts, believing it reduced the authority of the Office of Education staff.

Several state agencies had informal agreements with the Office of Education under which they developed unofficial state plans. One of the chief functions of the unofficial state plan was to strengthen a state agency's hand in encouraging the use of Title III funds to develop the supplementary centers and services concept. Good working relationships between the state agency and the Office of Education were sometimes as effective in guaranteeing approval of projects according to state recommendations and priorities as were these informal state plan arrangements. The state agencies which were unable to assign responsibility for Title III as a full-time activity were not able to exert as strong an influence on decisions made by the Office of Education.

The 15 Percent Federal Set-Aside Beginning in Fiscal Year 1971

Item A-9, describing the P.L. 91-230 section which authorizes the Commissioner to make grants directly to local agencies from 15 percent of each state's allotment in FY 1971 and thereafter, was rated at 2.546 as mildly retarding achievement of program objectives. This item was rated lower by the state agency members (2.851) of the committees than by representatives of local agencies (2.240). The difference in rating may reflect a feeling among a few local administrators that they might gain more favorable consideration from the Office of Education.

The responses to these 16 rated items clearly show that direct Office of Education-local agency administrative patterns in Title III are believed to retard achievement of program objectives. The members of the eight state committees indicated their belief that a more satisfactory administrative pattern is available.

Title III State Plan Administration

The items in Section B describe the administrative patterns and activities under the state plan section of P.L. 91-230, the most recent revision of ESEA Title III. This legislation combined ESEA Title III and NDEA Title V-A (guidance, counseling, and testing). No item in this section was rated either as strongly supporting achievement of program objectives or as strongly retarding their achievement.

Item B-7, a statement from the administrative manual that the state agency is responsible to see that audits performed for local agencies are within state laws, was rated highest at 1.598. This item acknowledges the responsibility of the state agency for the local agencies within its jurisdiction.

Two items rated as permitting reasonable achievement of program objectives describe sections of the state plan dealing with planning. Item B-2-h, citing the regulation that the state plan must explain the manner in which Title III funds will be used in meeting critical educational needs in the state, was rated 1.833. Item B-2-i, citing the regulation that the plan must describe the long-range strategy for advancing education in the state through Title III, was rated 1.907. These items require the state agency to establish program priorities based on projected plans for education in the state. Many members of the state committees believed these activities focus the attention of local agencies on developing proposals designed to move toward the solution of long-range, pervasive problems. The establishment of such guidelines also helps the state agency in its approval process by clearly indicating to local agencies the types of proposals which will be most readily approved for funding.

Item B-2-j, citing the regulation requiring that the plan include a list of the major criteria which will be applied to review project applications from local agencies, was rated at 1.638 as permitting reasonable achievement of program objectives. This item is regarded as assuring fair and equitable consideration of proposals by providing fewer opportunities for personal prejudices or other irrelevant considerations to influence decisions.

The items in the state plan concerned with evaluation and dissemination were ranked among the highest and were rated as permitting reasonable achievement of program objectives. Item B-2-k, citing the regulation that there must be in the plan a description of strategies designed to evaluate at least annually the effectiveness of programs and projects funded under Title III, was rated 1.712. Item B-2-l, from the regulation that the plan must set forth provisions for statewide dissemination of information concerning projects determined through evaluation to be innovative, exemplary, and of high quality, was rated 1.685. Item B-2-m, citing the regulation that the plan must set forth provisions for encouraging the adoption and adaptation within the state of promising educational practices resulting from projects which are innovative, exemplary, and of high quality, was rated 1.824. In the process of developing an evaluation strategy, many state agencies discovered that it provided an excellent opportunity to assume a leadership role in the process of educational improvement. The evaluation component of Title III became not only a review of past activities, but also an opportunity for the state agency staff to participate in plans for future programs.

Another item rated as permitting reasonable achievement of program objectives at 1.916 was B-1, which cites the law mandating the state agency to submit to the Commissioner an approvable state plan to qualify for its Title III allotment. One problem with this requirement, which some state committee members reflected, was the flexibility of the definition of "approvable" as used by the Office of Education staff members who review the plan.

Another problem discussed in some of the state committees was the time lag between submission of the plan and notification of its acceptance as approvable or of the need for revision of some sections. The time lag sometimes threatens to carry over into the fiscal year for which the plan is operative, thus creating the possibility that the state will be temporarily without administrative funds and local projects without program funds. The suspense and unease created by such delays could tempt the state agency to agree to revisions it does not feel are necessary or desirable in order to protect the continuity of funding.

Item B-10 refers to the section of the law which permits a local agency to file with the U.S. Court of Appeals a petition for review of action of the state agency, with respect to the approval of an application, if the local agency is dissatisfied with the final action of the state agency. It was rated 1.878 by the state committees, with state representatives lower (1.981), and local representatives higher (1.777). No court decisions have been reported under this provision of the law, but it has been an important factor in bringing the parties to terms. In the few instances where apparently irreconcilable differences have arisen between a state agency and one of its local agencies, one of them usually has requested the Office of Education to intervene in the dispute. The result of one case was the use of some of the 15 percent of funds at the disposal of the Commissioner to continue a project disapproved by the state that had orginally been approved and funded by the Office of Education.

A requirement of the law, cited in Item B-8, that a state agency appoint a state advisory council for Title III was rated 1.943. As this council is appointed by the agency which it advises, there was general acceptance of its existence. Many members of the state committees believe the advisory council performs a useful function as a buffering agent. Having a rather neutral or independent status permits it to serve as a referee or ombudsman when the state and local agencies disagree on such program matters as evaluation or selection of proposals for funding.

Several of the items describing sections of the state plan were rated as mildly retarding achievement of program objectives. The requirement, in Item B-2-a, that the plan set forth the number, types, function, and qualifications of all staff members required for administration of the plan was viewed as too detailed and intrusive on state personnel policy by some state and local committee members. It is typical of requirements of the state plan which serve more to frustrate than to expedite.

Item B-2-b, rated 2.009, and Item B-2-c, rated 2.203, deal with the selection of a panel of experts to review project applications. The plan must set forth the policy for determining qualifications required of panel members and the approximate number to be used. Many committee members were opposed to the idea of having proposals reviewed by a panel of experts. They believed there was expertise in the state agency at least comparable to that in most institutions of higher education with regard to the needs and capabilities of local agencies and the practicability of proposed projects. Some of these opinions may be the result of experiences when proposals went directly to the Commissioner. Reviews by experts frequently demonstrate a grave lack of understanding of the realities of public education.

Item B-2-d requires a description of procedures which may be utilized for appropriate staff development of state and local personnel who will be involved in developing and conducting programs. It was rated 2.055, ranking 13 among the 26 items. This is an example of a type of requirement made of the state agency which was not placed on the Office of Education when the program was administered by the Commissioner.

Item B-2-e was taken from the regulation that the state plan must make provision for participation of children enrolled in nonprofit private schools in the area to be served by a project and to the extent consistent with number and needs. The item was rated 2.185, mildly retarding achievement of program objectives. Some members of the committees had experienced difficulty in reaching accord between public officials and private school administrators as to what meets the requirement for "effective participation on an equitable basis." Although there appeared to be a general willingness to open program activities to children who attend nonpublic schools, there was an understandable reluctance to become involved in time-consuming special activities related to their participation.

Items B-2-f and B-2-g describe those sections of the state plan which caused more problems for state agencies than any others. The legislation contains only a minimal requirement that each state plan "sets forth a program (including educational needs, and their basis, . . .)." This requirement, viewed as innocuous because of its brief, parenthetical nature, has become one of the most difficult parts of the state plan for many state agencies.

The regulations and the guidelines require the plan to identify the educational needs of the state and explain the objective criteria and measurements used to identify those needs. It must also include a description of critical educational needs in various areas of the state and of the process used to determine those needs. Some members of the state committees expressed the view that the basic requirement for assessing educational needs as written in the law was blown out of all proportion by the regulations and guidelines. The Office of Education was very reluctant to accept any statewide assessments already completed, no matter how recently. Many state administrators felt that the demands for needs assessment programs of such scope were totally disproportionate to the size of the Title III allotments.

The differentiation between state plan items rated as permitting reasonable achievement and those which mildly retard achievement of program objectives appeared to be made by members of the state committees on the basis of the degree to which they were directly related to the development and operation of programs and projects. The activities which help establish projects and encourage administrators to try new ideas were rated consistently above those which were seen as doing little more than providing detailed but not particularly relevant information.

Incorporation of NDEA Title V-A

Four items dealing with aspects of the merger of Title V-A of the National Defense Education Act and Title III of the Elementary and Secondary Education Act were among the six rated lowest in this section. Title V-A NDEA, enacted in September 1958, authorized grants to state agencies to assist them to establish and maintain programs of testing, guidance, and counseling. Payments were made equal to one-half the amount expended for such purposes, including costs for state supervisory services, up to the amount of each state's allotment. Item B-6, rated lowest in this section, states that beginning in FY 1971, Title V-A of NDEA is incorporated into Title III of ESEA under certain conditions. The committee members, without a noted exception, believed that Title V-A of NDEA had been instrumental in encouraging state and local agencies to develop and expand these programs, and they were concerned that financially pressed school systems might reduce services when they no longer received such assistance.

Item B-6-a cites the section of the law stating that guidance and counseling programs must be subject to the procedures and criteria described in the state plan for all Title III projects. This requirement, effective for the fiscal year beginning on July 1, 1970, but not known until late April or early May of 1970, was difficult for state and local agencies to comply with after their budgets for the coming fiscal year had been planned. It was rated 2.583.

Item B-6-b, which cites the regulation requiring that the state plan set forth a program for testing students in the elementary and secondary schools, junior colleges, and technical institutes of a state, has been interpreted to require only one type of test at one grade level for compliance and was rated 2.710. This interpretation that compliance can be nominal has reduced objections to the regulation from strenuous to mild. Some state committee members expressed concern that this, coupled with extensive needs assessment demands, is beginning to appear more and more as a precursor to federally mandated national assessment.

Item B-6-d, a requirement of the law that a state must assure that it will expend an amount for testing, guidance, and counseling at least equal to the federal funds expended prior to June 30, 1970, is viewed as mildly retarding and rated 2.367. Committee members who have strong interests in previously funded Title III programs believe, in view of the loss of compulsory matching funds for guidance and counseling, that Title III funds will be needed to comply with this section of the law. Others viewed the merger in the same light as the 15 percent set-aside for programs for handicapped children—another splintering of a relatively small categorical program. A few commented that it limited the autonomy of state and local agencies, leaving less freedom to choose the kinds of programs to be supported by Title III funds.

The merger of ESEA Title III and NDEA Title V-A may have implications for future efforts to consolidate the categorical aids which have proliferated in the past decade. Each of the programs affected by the merger has its own supporters at each governmental level. None is anxious to relinquish any measure of program authority or financial support. The legislation mandating this merger was enacted after the state and local agencies had prepared their budgets for the fiscal year in which it would become effective, so that the assumption of additional fiscal commitments to either program was difficult. The timing of the legislation worked an additional hardship at the federal and state levels because it was enacted at the time that state agencies were in the middle of preparing their Title III state plans for the next fiscal year. They had little time and received little guidance in altering the plans to conform to the new requirements. Ten months after passage of the law and more than seven months after the beginning of the fiscal year, no official regulations were available. The resulting confusion and disruption of programs would appear to raise questions about the wisdom of the manner in which this attempt at reducing the number of categorical aids was carried out.

The other two items receiving lowest ratings were: Item B-5, which requires that in FY 1971 and thereafter the state may receive no more than 85 percent of its allotment to carry out its approved state plan; and Item B-9, which requires that 15 percent of each state's allotment be expended on programs for handicapped children. They were rated 2.768 and 2.672, respectively. Both of these items tend to subdivide administrative and program authority for a relatively small categorical aid, to reduce the autonomy of the state agency, and to increase the paperwork for all concerned.

It is clear from the response of members of the state committees that administration of Title III by the state agency under a state plan is regarded as preferable to direct federal-local agency administration of the program. The ratings given the state plan have been lowered by the merger of testing, guidance, and counseling programs, by the excessively detailed plan requirements, and by the set-aside of 15 percent for the handicapped.

An administrative manual and a guide to preparing a state plan, both restrictive in tone, may be factors to explain state and local attitudes under the state plan. After a state agency has complied with all the federal mandates, recommendations, and suggestions, there is little opportunity or encouragement for any initiative in developing a Title III program to meet the particular needs of the state. The stress on interstate uniformity was much greater in Title III, a supposedly innovative program, than in either Title I or Title VI of the Elementary and Secondary Education Act.

The recommendations of the Federal Assistance Streamlining Task Force (FAST) have not provided state agencies with measurable relief from the stringent criteria for approval of Title III state plans. The intent of the FAST recommendations was to permit state agencies to continue ongoing programs upon submission of signed printed assurances that they would operate within the law and regulations and a brief summary of the activities to be funded for that fiscal year. It was generally agreed that one detailed state plan would have to be approved by the Commissioner as the basis for the signed assurances of succeeding years. Past the halfway mark of fiscal year 1971, a substantial number of states had not yet secured full approval of the plans submitted for fiscal year 1970.

In addition, the Division of Plans and Supplementary Centers was still requiring detailed descriptions of certain administrative procedures adopted by the state agencies and submission of amendments for the Commissioner's approval when any administrative procedures were altered. Many state Title III coordinators live in a world between the DPSC and their respective state boards of education, trying to reconcile the differences between the pleasure of the board and the demands of the DPSC.

The difficulties are not as frequently observed in the operational sections directly related to the basic purposes of Title III and the state agency's management of the funding of projects as they are in peripheral requirements.

In spite of all the problems which are reflected in the low ratings of administrative activities in Title III, the program has acquired strong support among local administrators who have had experience with projects and among state administrators who have observed the benefits derived from Title III projects. In some school districts, these are the only funds which are not committed to the support of existing activities. Title III is viewed as having considerable potentialities for introducing new ideas into the schools.

SECTION IV: Title VI

Title VI of the Elementary and Secondary Education Act authorizes a variety of programs designed to improve the education of handicapped children. The Commissioner is authorized to make grants to assist the states in the initiation, expansion, and improvement of programs for the education of handicapped children at the preschool, elementary, and secondary levels.

Title VI also authorizes grants to establish regional resource centers; centers and services for

ESEA, Title VI

Item Number	STATE						LOCAL						COMBINED					
	Ratings				Average Rating	Rank Among Items	Ratings				Average Rating	Rank Among Items	Ratings				Average Rating	Rank Among Items
(Research Instrument)	1	2	3	4			1	2	3	4			1	2	3	4		
A.1	9	24	12	7	2.326	14	11	21	12	9	2.358	14	20	45	24	16	2.333	14
2	17	24	5	7	2.037	12	15	22	12	4	2.094	11	32	46	17	11	2.066	13
3	15	30	6	3	1.944	7	13	28	8	4	2.056	13	28	58	14	7	2.000	10
4	18	25	6	4	1.924	10	17	25	7	5	2.000	8	35	50	13	9	1.962	8
5	16	22	10	3	2.000	11	14	29	7	4	2.018	10	30	51	17	7	2.009	11
B.1	44	9	0	0	1.169	1	39	15	0	0	1.277	1	83	24	0	0	1.169	1
2	27	26	0	1	1.886	8	29	20	3	2	1.592	2	56	46	3	3	1.564	2
3	30	16	8	0	1.592	3	24	24	5	1	1.685	4	54	40	13	1	1.638	4
4	26	27	0	1	1.555	2	22	30	1	1	1.648	3	48	57	1	2	1.601	3
5	18	32	3	1	1.759	6	17	33	4	0	1.759	6	35	65	7	1	1.759	6
6	19	26	5	4	1.888	9	10	26	13	5	2.240	13	29	52	18	9	2.064	12
7	23	25	5	1	1.703	4	23	26	4	1	1.685	4	46	51	9	2	1.694	5
C.1	23	25	4	2	1.722	5	11	33	7	2	2.000	8	34	58	11	4	1.859	7
2	19	29	4	2	1.796	7	7	35	8	3	2.132	12	26	64	12	5	1.962	8

deaf-blind children; and research, training, and dissemination activities in connection with centers and services for the handicapped.

The composite ratings of the 109 members of the eight state project committees ranged from 1.169 to 2.333 on a scale of 1 to 4 in the evaluation of the degree to which selected administrative activities described by the items included in the project instrument strongly support, reasonably permit, mildly retard, or strongly retard achievement of program objectives of Title VI of the Elementary and Secondary Education Act. These ratings indicate that no item in this section is rated as more than mildly retarding administration of Title VI programs at the state and local levels.

Centers and Services to Meet Special Needs of the Handicapped

Title VI of P.L. 91-230 authorizes the U.S. Commissioner of Education to administer several programs directly by contract with or grants to institutions of higher education, state or local education agencies, or other public or private nonprofit agencies. State and local administrators in the eight state committees, particularly those who have direct responsibility for the administration of programs for handicapped children, rated the parts of Title VI administered by the Commissioner as mildly retarding the achievement of the stated objectives of each program.

Item A-1 authorizes the establishment of regional resource centers. State and local administrators expressed concern over the failure of some centers to assess the needs of all state and local education agencies they are intended to serve as an initial step in their planning. Some participants felt that greater involvement of state agency personnel in making decisions about the establishment of these centers would result in more effective programs. Some of the resource centers are so inaccessible that the intended beneficiaries feel they would have been better served by smaller direct grants or by the addition of these funds to the state plan portion of Title VI.

Item A-2, authorizing centers for deaf-blind children, causes similar concern among state and local schoolmen. There is some doubt that regional residential centers are the only way to serve these children, accompanied by a strong feeling that some of these funds could be made available to state and local agencies to develop alternative approaches to educating deaf-blind children.

Item A-3 describes the Commissioner's authority to arrange for the development and implementation of experimental preschool and early childhood education programs for handicapped children. The committees rated it 2.000. Grants have been made for 42 projects to state and local education and health agencies, universities, private nonprofit groups, and community action agencies.

Item A-4 authorizes the Commissioner to pay all or part of the costs of such activities as research and development, training of professional and allied personnel, and dissemination of materials and information. The item was rated 1.962. The training programs for professional and allied personnel receive the greatest funding support in this group.

Item A-5 requires the Commissioner to conduct, either directly or by contract with independent orgainzations, a thorough and continuing evaluation of programs for which he has administrative responsibility. State and local administrators feel that the lack of opportunity for them to participate in evaluation of these programs prevents state agency personnel from making recommendations which would improve the programs and adds to their burdens because they must seek alternative ways to accomplish the same task.

Throughout the discussions members of the state committees expressed quite strong opinions that the programs administered by the Commissioner could be made more effective if state agencies were included in their planning and development and were given a voice in the decisions about awarding grants. This is consistent with the view that programs for handicapped children should be a responsibility of the community and local public schools rather than public or private institutions and special schools. In recent years state agencies have increased their efforts to encourage the development of such programs. Their participation in making decisions about programs administered by the Commissioner would be a logical means of assuring that the activities and programs of other agencies are coordinated with their established priorities.

Assistance to States for Education of Handicapped Children

The section of Title VI which provides assistance to the states for education of handicapped children requires that a state plan be submitted by the state agency for approval of the Commissioner. The state plan section of Title VI was rated higher than the state plan or assurance sections of ESEA Titles I and III and the Vocational Education Act of 1968. Title VI was believed to have less difficult administrative requirements and fewer unnecessary restrictions.

Item B-1, providing that the state education agency must be the sole agency for administration of the state plan, received the highest rating from the participants, 1.169. Item B-3, stating in the regulations that the program must be administered by that division of the state agency responsible for state educational programs for the handicapped, was ranked 4 of the 14 items in this section. State and local administrators feel that the resulting administrative pattern encourages the development of programs and services by the state and local agencies which provide maximum opportunities for education of handicapped children.

Four provisions of the state plan that rated very high in support of achievement of program objectives were described as follows: Item B-2, rated 1.564, states that there must be policies and procedures which provide satisfactory assurance that Title VI funds will be used to supplement and increase the level of state, local, and private funds expended for the education of handicapped children; Item B-4, rated 1.601, states that there must be provision for local agencies to enter into agreements and submit applications for jointly operated programs; Item B-5, rated 1.759, requires a quantitative and qualitative description of present programs and projects for the education of handicapped children; and Item B-7, rated 1.694, is an assurance that Title VI funds will not be used to provide programs in schools operated by a state agency or for those in other schools receiving support for their education from a state agency.

The purposes of these items support achievement of program objectives. The development of a description of present programs for the handicapped was a burden for many state agencies the first year they had to submit a state plan, but they generally felt that the effort has been beneficial to the state agency. A few local administrators felt that local school districts which had previously invested local money in these programs were penalized by having to continue that investment while similar Title VI programs were funded in local districts not making such an effort.

Item B-6, requiring that special educational and related services for handicapped children enrolled in private schools be provided on a basis comparable to that used in providing such services to children enrolled in public schools, was rated as only permitting, not supporting, achievement of program objectives. It ranked 12 out of the 14 items. There is still no clear interpretation of the precise meaning of this regulation at the federal level. In some states it has been difficult to determine accurately the numbers of handicapped children in private schools, as well as the nature and extent of their handicaps. It has been difficult to determine which services can be appropriately provided for private school children when funds are limited and their needs may be quite dissimilar to those of children in public schools. Another problem arises in some states when activities are supported by a mixture of federal, state, and local funds if there is a state constitutional prohibition against use of public funds to provide services to children attending private schools.

Local Agency Administrative Responsibilities

The Title VI law and regulations make very little specific mention of local agency administrative responsibilities. In practice, the local agency operates a project in accordance with its administration of all school programs. A Title VI project is, in effect, an additional public school program which provides educational services to a specific clientele.

Two items in the regulations deal with the local agency's responsibility for coordinating the activities of its Title VI project with those of other agencies. Item C-1 requires that a local agency coordinate its project with other public and private programs for the education of handicapped children in its area. It was rated 1.859 and ranked 7 among the 14 items. Item C-2 requires a local agency to coordinate its program activities with similar programs in other local agencies under the state plan. It was rated 1.962 by the committees and ranked 8 among the 14 items.

Both of these items were rated lower by local administrators, possibly because the burden of coordination requires expenditure of their administrative time and energy. However, these administrative activities are important to observe in order to avoid duplication of effort or the development of overlapping programs to serve the same clientele.

The ratings on all parts of Title VI may have been influenced by a genuine desire to improve educational opportunities for handicapped children. Administrators at each governmental level appear to have worked independently and cooperatively to develop efficient and effective administrative patterns for the several programs. The consistently higher ratings and more positive comments appear to be the result of continuing efforts, led by the Bureau of Education of the Handicapped, to expedite, simplify, and streamline the administration of Title VI.

The initial appropriation of $2.5 million for fiscal year 1967 became available in June, the last month of that fiscal year. The funds were so limited and were released to the state agencies so late that wise expenditures for program activities would have been impossible. Therefore, an administrative decision was made to permit the state agencies to use their allotment for planning purposes. The Bureau accepted state plans which "promised to plan" in order to release the funds so that the real work could be started. As a result, the state agencies had from June of 1967 into February of 1968 to prepare for the administration of this program. During this eight-month period a state agency had ample time to develop internal organization plans and to begin hiring staff members to administer its projects and to provide technical assistance to the local agencies. They conducted surveys to determine the status and needs of education of the handicapped. They worked with local agencies to stimulate interest and assisted them in the development of applications for projects.

Although there is no requirement in Title VI for a state advisory council, many state agencies established them as one means of attempting to coordinate services for the handicapped. These councils varied widely in their composition: some were composed of staff members who had administrative responsibility for one or more programs for the handicapped; some included representatives of local education agencies and public and private agencies supporting programs; some included parents of handicapped children. All of them broadened the information base and improved the planning capabilities of the state agency.

At the end of this period of grace, when funds for local projects became available, most state agencies were better prepared to administer Title VI than they had been for any other federally funded program to date.

The provision that 5 percent or $100,000, whichever is greater, of the state allocation may be used for administration of the state plan enabled some state agencies for the first time to employ a full-time director of special education and specialists to work in the field. It enabled others to add specialists who could improve services to local agencies. For many state agencies these funds provided the impetus to their assuming a leadership role in the development of education programs for the handicapped. The Bureau of Education of the Handicapped required a comprehensive state plan for the release of fiscal year 1968 funds. A state agency was required to provide: a complete report on all existing services for the handicapped; a statement of major problems in education of the handicapped; a list of the long-range goals of the state agency in terms of services to the handicapped; a description of the ways in which the state intended to use Title VI funds for fiscal year 1968 to move toward achieving their goals; and a description of programs operating in the same year funded by other federal, state, and local sources. Although the document was long and detailed, state agencies had eight months to gather the information, plan the programs, and prepare the report. It became a working document for most state agencies.

For operating purposes, the state plan form now has been supplanted by two simpler documents. The first is a set of preprinted assurances recommended by the Federal Assistance Streamlining Task Force (FAST). The second is a Description of Projected Activities Form. These documents require no major narrative writing of the state, and most of the information requested is of the nature a state agency would require and collect for its own purposes. They are simple enough to be both manageable and comprehensive.

The Bureau also has attempted to streamline the reporting procedures. After a local project is approved and funded by the state agency, a copy of the application is forwarded to the Bureau. The information formerly transcribed by the state agency into its report and then retranscribed by the Bureau into its annual report is now recorded and stored in a computer. At any time the Bureau can retrieve current information by state, by type of project, or by any other category desired. To gain relief from the tedious, time-consuming compilation of reports by hand, the state agencies have been willing to use a uniform project application form.

Although the state agencies have been encouraged to use state plan funds for demonstration activities, there are no mandates regarding types of programs to be funded or clientele served. In some instances state agencies have more discretionary authority in the use of these funds than they have in the use of state funds for the handicapped. The state agency is able to determine its own priorities without legislative or administrative interference.

The timing of this program of assistance to the states enabled state agencies to make an effective response to the increasing demands from parents of handicapped children that their needs be met within the community rather than in residential centers.

The initial planning period, the realistic and simplified state plan requirements, the freedom from restrictions on how funds are to be used, and the timeliness of the program all contribute to the widely recognized success of the administration of Part B of Title VI.

SECTION V: Vocational Education Act of 1968

Unlike the ESEA programs considered in the three preceding sections, federally supported vocational education is more than a century old at the college level and has been an integral part of public secondary education since 1917. The items rated in the research instrument have been drawn principally from the Act of 1968 and its patterns of administration, but they have developed out of a continuity of experience in vocational education during war and peace, economic boom and depression, and rapid development of technology. Since 1963, vocational education has been affected by a number of emergency federal programs of education, mostly remedial in character, in addition to the increased scope of vocational education entrusted to the schools.

The important vocational education law of 1963 broadened the field and maintained its categorical character sufficiently to overload the administrative resources of many local, state, and federal agencies. The 1968 law states admirable polices about local operation and state responsibility, but the federal regulations have attempted to assume increased federal responsibility through specification of more rather than fewer complex and detailed requirements. Vocational education has added more than its share to the organizational overload on state and local education agencies since 1963. This has resulted in an inability to meet fully the federal requirements and a state and local tendency merely to promise to try to comply. There is reason to believe that perhaps one-half of all the paperwork in vocational education and the staff time it requires could be eliminated without loss in vocational education results.

Allocation of Administrative Responsibilities to the U.S. Commissioner of Education

Item A-1 lists the legal requirement that the Commissioner promulgate state allotment ratios for each fiscal year. This does not provide the dollar amounts to be allotted, but it shows what percentages will go to each state when an appropriation becomes available. As such information helps somewhat in state and local planning, the item was rated 1.596 and ranked next to highest among the 43 items on vocational education.

Item A-2 cites the law that before approving a state plan, the Commissioner must make specific findings that he is satisfied the procedures in the plan ensure that it will be carried out. This was rated 2.128 and ranked 26 among the 43 items, principally because the required specific findings usually are based on a few mechanical procedures to assess the promise of state plans rather than on thorough program reviews upon which specific findings could be based. Whatever may be done is not of great concern to the state committees, and they recognize the impossibility of doing a thorough job with current federal staffing. Ironically, if more federal staff consumed the amount of time a thorough job would require before each state plan is approved, the resulting delays might well bring a lower rating from the committees for impeding administration of their programs.

Item A-3 cites the law that the Commissioner may not approve a research and training program application until it has been approved by a panel of experts who are not employees of the federal government. Rated 2.425 and ranked 38 among the 43 items, the low rating of the work of the panel is said to reflect cumbersome procedures, selection of experts by the federal vocational education staff, bias, elements of grantsmanship, little knowledge of the projects, and absence of evaluation reports when decisions must be made.

Item A-4 cites the law that the Commissioner may not make any grant or contract for an exemplary program or project unless the state board of vocational education has failed to disapprove it within 60 days after it has been submitted to the board. Rated 2.000 and ranked 20 among 43 items, the state committees had no strong opinions in either direction. The state board will have had a chance to disapprove the grants, but a new delaying factor may have been created.

Item A-5 refers to long dormant obligations of the Secretary of Labor to make studies and projections of manpower needs for purposes of vocational education planning. This service function was mandated through riders on the 1970 and 1971 appropriations laws after the Department of

Vocational Education

Item Number	STATE						LOCAL						COMBINED					
	Ratings				Average Rating	Rank Among Items	Ratings				Average Rating	Rank Among Items	Ratings				Average Rating	Rank Among Items
(Research Instruments)	1	2	3	4			1	2	3	4			1	2	3	4		
A.1	28	24	3	0	1.545	3	24	25	5	0	1.648	3	52	49	8	0	1.596	2
2	15	24	13	3	2.072	26	12	27	8	7	2.185	28	27	51	21	10	2.128	26
3	7	18	24	6	2.527	40	9	22	18	4	2.320	35	16	40	42	10	2.425	38
4	16	28	10	1	1.927	20	11	29	13	1	2.074	20	27	57	23	2	2.000	20
5	17	27	7	4	1.963	21	17	25	9	3	1.962	16	34	52	16	7	1.963	18
6	20	32	2	1	1.709	7	21	28	4	1	1.722	6	41	60	6	2	1.715	7
7	24	24	3	2	1.679	6	27	23	1	2	1.584	2	51	47	4	4	1.632	5
B.1	41	12	1	1	1.309	1	32	18	3	0	1.452	1	73	30	4	1	1.379	1
2	20	27	7	1	1.800	13	19	26	8	1	1.833	10	39	53	15	2	1.816	10
3	16	34	4	0	1.777	11	14	25	14	1	2.037	18	30	59	18	1	1.907	15
4	9	28	11	6	2.259	34	9	26	13	6	2.296	34	18	54	24	12	2.277	35
5	22	24	8	1	1.781	12	19	25	9	1	1.851	12	41	49	17	2	1.816	10
6	21	23	7	4	1.890	16	14	23	11	5	2.132	23	35	46	18	9	2.009	21
7	14	23	13	5	2.163	31	12	18	21	3	2.277	32	26	41	34	8	2.220	32
8	18	32	3	1	1.759	10	21	26	5	2	1.777	7	39	58	8	3	1.768	8
9	17	30	6	2	1.872	15	13	26	12	2	2.056	19	30	56	18	4	1.962	16
10	26	23	6	0	1.636	5	16	27	9	2	1.944	14	42	50	15	2	1.788	9
11	18	28	6	3	1.890	16	17	29	5	3	1.888	13	35	57	11	6	1.889	14
12	31	21	0	1	1.452	3	20	27	5	2	1.796	8	51	48	5	3	1.626	4
13a	21	17	13	4	2.000	23	22	19	7	6	1.944	14	43	36	20	10	1.972	19
13b	17	20	15	3	2.072	27	15	25	9	5	2.074	20	32	45	24	8	2.073	23
13c	15	21	13	6	2.181	32	13	27	11	3	2.074	20	28	48	24	9	2.128	26
13d	5	25	18	7	2.490	39	4	17	22	11	2.740	40	9	42	40	18	2.614	41
14	17	28	8	2	1.909	19	10	27	15	2	2.166	26	27	55	23	4	2.036	22
15	14	30	7	3	1.981	22	9	30	12	3	2.166	26	23	60	19	6	2.074	24
16	18	29	4	3	1.851	14	21	23	9	1	1.814	9	39	52	13	4	1.833	12
17	9	17	17	12	2.581	42	4	12	22	16	2.925	42	13	29	39	28	2.752	42
18	15	21	10	8	2.203	33	12	21	15	5	2.245	30	27	42	25	13	2.224	33
19	9	25	14	7	2.345	37	8	26	13	7	2.351	37	17	51	27	14	2.348	36
20	11	17	20	6	2.388	38	14	21	16	3	2.148	24	25	38	36	9	2.268	34
21	3	12	16	23	3.092	43	1	13	20	20	3.092	43	4	25	36	43	3.092	43
22	12	26	14	3	2.145	29	11	26	13	3	2.150	25	23	52	27	6	2.128	26
23	3	26	16	8	2.547	41	7	21	18	7	2.471	38	10	47	34	15	2.509	40
24	6	30	16	3	2.290	35	4	24	18	7	2.528	39	10	54	34	10	2.407	37
25	12	29	9	3	2.056	25	8	23	18	3	2.307	35	20	52	27	6	2.180	30
26	11	25	17	1	2.148	30	6	31	13	3	2.245	30	17	56	30	4	2.196	31
C.1	30	19	4	1	1.555	4	25	22	5	1	1.660	4	55	41	9	2	1.607	3
2	23	23	7	1	1.740	9	24	23	6	0	1.660	4	47	46	13	1	1.700	6
3	11	32	10	1	2.056	25	7	33	9	4	2.188	29	18	65	19	5	2.102	25
4	22	25	7	0	1.722	8	20	26	2	5	1.849	11	42	51	9	5	1.768	8
5	11	24	14	5	2.240	36	4	15	23	11	2.773	41	15	39	37	16	2.504	39
6	20	21	11	2	1.907	18	14	25	13	1	2.018	17	34	46	24	3	1.962	16
7	19	18	13	4	2.037	24	16	15	13	9	2.283	33	35	33	26	13	2.158	29

Labor and the vocational education officials in the Office of Education had failed to agree for several years over the details of the data.

The Department of Labor has federal authority to administer the Manpower Training and Development Act and other emergency vocational education in cooperation with the Office of Economic Opportunity. It has also collaborated in fields of mutual concern in vocational education with the Office of Education. Throughout a long history of cooperation with state and local vocational education agencies, however, the Office of Education has sought to coordinate school and college programs in the federal education agency. The congressional mandate places the Department of Labor in a service relationship not entirely welcomed when the data are those needed and specified by the Office of Education. The state committees, educators all, ranked this item 18 among 43 items and rated it at 1.963, partly because the long jurisdictional competition has left some feeling about the feasibility of receiving the needed data from the Department of Labor.

Item A-6 refers to a regulation leaving the auditing function at the state level to the Department of Health, Education, and Welfare, an arrangement considered less desirable than having the auditors work out of the Office of Education. Ranked 7 among the 43 items, the high rating of 1.715 would be higher if the HEW auditors were sufficiently informed about vocational education to make more than superficial audits.

Item A-7 refers to a regulation that evidences the strong bond between Office of Education vocational education administrators and state education agencies. It lists the only instance mandated by federal regulations in any intergovernmental education program that federal auditors desiring to approach local education agencies must, in effect, first give the state an opportunity to correct any local fiscal irregularities. Federal auditors, where available information at the state level is deemed inadequate, may arrange through the state board for audits in local education agencies. A rating of 1.632 and the fifth highest ranking among the 43 items reflects the view that auditing the records of local education programs is normally a state function and responsibility; but it is also recognized that the authority of federal auditors extends to the local level of government.

Allocation of Administrative Responsibilities to State Agencies

Item B-1 lists the requirement of the Act of 1968 that the state must designate the state board of vocational education as the sole agency responsible for administration of the state plan and supervision of the administration of local education agencies under the state plan. Ranking this item highest among all 43 items, the state committees, composed of both state and local administrators of a large variety of federal educational programs, left no doubt of their belief that vocational education reaches its program objectives best when administered as a state educational responsibility with federal support and local program operation.

Item B-2 lists the requirement of a regulation that a state plan must contain detailed descriptions of the state programs, services, and activities, along with its policies and operating procedures. This was not objected to generally by the committees, and it was rated 1.816, relatively high, and ranked 10 among the 43 items. Nevertheless, much required detail in state plans and guidelines is regarded as unnecessary. Federal-state negotiations currently are proceeding which would reduce the paperwork to a contractual agreement to observe federal laws and regulations, with the state plan filed in the state office for state use and available on request by national and regional federal offices for vocational education. Given this arrangement, elimination of federal requirements having little or no relationship to the attainment of state and local program objectives would be more readily attainable.

Item B-3 lists the requirement of the law for a long-range state program plan of three to five years, which by regulation has been made five years without the alternative in the law. The state committees rated this 1.907, ranking it 15 among the 43 items. They believed that although long-range planning is generally desirable, it can quite easily become stale and routine in annual updating of the first five-year plan.

Item B-4 cites the law requiring an annual state program plan, including a description of the extent to which consideration was given to the state advisory council's most recent evaluation report in developing the plan. Questions about the amount of detail required and the intrusion of the vague requirement about consideration of evaluation reports, which many state councils had not yet made available, lowered this rating to 2.277 and a ranking of 35 among the 43 items.

Item B-5 refers to the requirement in the law that the state plan must set forth the policies and procedures to be followed in distribution of funds to state agencies and the uses of funds by local agencies as prescribed in the law. It received a rating of 1.816 and was ranked 10 by the state committees, strongly supporting program objectives with comparatively minor reservations.

Item B-6 summarizes a regulation that requires spelling out in the state plan certain prescribed purposes of home economics programs and calling for procedures and policies to be followed in achieving them. The rating by the state agency representatives was 1.890, ranking it at 16 among the 43 items. The local representatives rated it 2.132 and ranked it at 23, apparently having more doubts about the necessity of spelling out local program purposes in the state plan if the purposes were made clear enough by the law itself and by guidelines.

Item B-7 cites a regulation requiring that the state plan give assurance that one-third of the funds for consumer and homemaking education will be used for programs in economically depressed areas or areas of high unemployment. Funds set aside in this manner were rated low because the mandated minimum does not fit the needs of all local education agencies. This item was rated 2.220, ranking it 32 among the 43 items.

Item B-8 cites the requirement of the law that cooperative vocational programs must be planned and supervised so that both the school and the public or private employer of the student will contribute to the student's education. The state committees rated this at 1.768, ranking it 8 among the 43 items. The provision provides a mild deterrent to the exploitation of students as a source of cheap labor to participating employers.

Item B-9 cites the law requiring the state plan to set forth principles for determining the priority to be given to applications for work-study programs from local agencies having substantial numbers of dropouts or unemployed youth. This is an excellent program which emphasizes student need. It parallels the Neighborhood Youth Corps program conducted by the U.S. Department of Labor. The state committees rated it 1.962, ranking it 16 among the 43 items.

Item B-10 is from a regulation that requires the state board to assure that state and local programs, services, and activities are evaluated often and extensively enough to enable the state board to carry out its state plan. The members of the committees from state agencies rated this a high 1.636, ranking it 5 among the 43 items; but the local members rated it 1.944, which ranked it 14. Overall, the rating was 1.788, and the ranking was 9 among the 43 items.

Item B-11 refers to another regulation that permits state advisory council evaluations to be adopted as those of the state board, but also approves additional state or local evaluations. Although the federal policy seems to consider the more evaluations the better, many state committee members do not favor the administrative function of evaluation being given to state advisory councils. There is confusion, duplication, and overlapping here, with conflicts between the responsible administrative agencies and the so-called advisory councils that create dual systems of administration in the evaluation of programs. The state representatives rated the item 1.890, ranking it 16 among the 43 items; the local representatives rated it 1.888, with an overall ranking of 14.

Item B-12 cites a regulation permitting state or local vocational agencies to contract for any portion of a program of instruction provided the contract is legal and involves a reasonable and prudent use of funds. The state agency members rated it 1.452, ranking it at 3 among the 43 items; the local representatives rated it 1.796, and 8 in ranking. The state committees emphasized that contracted programs are entirely optional and helpful in some situations. Although proprietary institutions have not been used to any great extent, their participation apparently will increase as cost effectiveness factors are agreed upon by private training institutions and public vocational education authorities.

Item B-13 has four parts involving the suggestions of a preamble to a state plan guide for vocational education phrased in mandatory terms by the Office of Education. The state education agency is called upon to give priority in funding programs, services, and activities for (a) disadvantaged persons, (b) the physical or mentally handicapped, (c) those preparing for occupations requiring postsecondary education, and (d) students enrolled in nonpublic schools. The state committees ranked (a) at 19, (b) at 23, (c) at 26, and (d) at 41 among the 43 items, and rated them at 1.972, 2.073, 2.128, and 2.614, respectively.

There has been considerable difficulty in defining "disadvantaged" and "handicapped" persons for the purposes of these priorities. Many persons normally so defined long have been and currently are enrolled in regular vocational programs. The references in the 1968 law to disadvantaged persons "who cannot succeed in regular programs" compound difficulties of student admissions, especially in regard to overlapping and part-time programs in relation to a long list of federal priorities. Who can know which person "cannot succeed" in regular vocational programs that are often composed of "clusters of occupations" to be adapted to the individual needs of each student? Most states exceed the federal requirements for serving the postsecondary needs of vocational students.

Item B-13-d refers to still another administratively required priority in favoring enrollment of students in nonpublic schools. The rapidly growing vocational-technical schools serve some students from both public and nonpublic schools on a shared-time basis. The public and private part-time students have equal standing in determining which shall be assigned instructional space in the schools. The federal administrative mandate of a priority for nonpublic over public school students adds administrative confusion and difficulty, including that involving the question of discrimination against public school students. The state committees rated this item 2.614, which remains within the rating scale definition of permitting reasonable achievement of program objectives. The ranking was 41 among the 43 items, however, indicating administrative difficulties rarely exceeded elsewhere in vocational education. Perhaps enforcement of laws prohibiting discrimination would be a more certain remedy than a federal administrative priority if and when equality is denied nonpublic school pupils involved in the vocational education for which they are eligible.

Item B-14 cites a regulation requiring the state plan to set forth principles for determining priorities among applications by local agencies for cooperative vocational education programs, with preference to those from areas of high concentration of youth unemployment or dropouts. This was rated 2.036 and ranked at 22 among the 43 items. It involves difficult interpretations of priorities and what many committee members regard as unnecessary writing of details into state plans that have little if any later effect on achievement of program objectives.

Item B-15 summarizes a regulation authorizing grants or contracts for exemplary programs or projects only if the state board determines that their planning, development, and operation are coordinated with other public and private programs having similar purposes. This is another detailed requirement, including definition of intended procedural principles of coordination in situations where coordination may be next to impossible to achieve. The state committees rated it 2.074 and ranked it 24 among the 43 items.

Item B-16 cites the law requiring the state board to encourage exemplary projects and programs to broaden occupational opportunities for youth, especially for those with academic, socioeconomic, or other handicaps. This is a desirable and theoretically attractive program with minor financial support. The state committees rated it 1.833 and ranked it 12 among the 43 items. Most members regard it as a desirable beginning to improve vocational programs.

Items B-17, B-18, B-19, B-20, B-21, and B-26 were ranked 42, 33, 36, 34, 43, and 31, respectively, among the 43 items and were rated from a high of 2.196 to a low of 3.092. They are grouped for consideration here because all of them require excessive detail in state plans or solemn promises of what the state board will do. All except one are regulations that appear to have little if any effect on the achievement of program objectives.

Item B-17 refers to the requirement that the state board set forth minimum qualifications for all vocational education personnel regardless of whether there is federal participation in their salaries. This is the only one of these items required by law rather than by regulation. It ranked next to last among the 43 items and was rated 2.752 by the state committees. The requirement is unnecessary because all the states have set up standards and procedures for teachers of vocational education, as they have for teachers in other subjects.

Items B-18, B-19, and B-20 are essentially guidelines, but they are made mandatory regulations to which the state board "must give due consideration" or "must give particular consideration." The state must promise to give all these special parts of programs special attention. The state committees ranked item B-21 at 43 and rated it 3.092, lowest of all items on vocational education, for requiring the state plan to describe in detail the essential characteristics of the local tax systems. Item B-26 refers to a requirement that the state plan must describe the policies and procedures to be followed by local agencies in making applications for research and training grants, together with voluminous requirements for local applications.

Item B-22 cites a regulation requiring a written agreement describing a cooperative personnel training program and the policies and procedures the state board and the training agency agree to use in evaluating the program. It was ranked 26 among the 43 items and rated at 2.128. It seeks through the cooperative agreements to provide contractual details that are of some protection against poor training. In view of the fact that different program agreements can be made with more than one institution, and that there is no requirement that the states must spell out the several protections and purposes of the cooperative agreements in their state plans, it could easily have been rated higher for its flexibility.

Item B-23 refers to a regulation requiring the state board and the state employment service to develop a cooperative agreement for vocational guidance, counseling, and testing services. Such agreements have little effect because they do not appear to affect the programs or their results. The state committees rated the item at 2.509 and ranked it 40 among the 43 items.

Item B-24 refers to a regulation mandating that state plan programs must be designed to include, to the extent consistent with the number enrolled in private, nonprofit schools in the attendance area, vocational education services which meet the needs of such students. For the reasons expressed under Item B-13-d, the state committees rated this at 2.407, which ranked it 37 among the 43 items.

Item B-25 cites a regulation requiring a provision for a state research coordination unit along with descriptions of its staff, organization, and its functions as these may affect research, personnel training, developmental programs, and dissemination activities. The state committees rated this 2.180, ranking it 30 among the 43 items. Cooperation with the state board and its local programs appears to account for the success of many coordinating units. When located in universities, program-related research and coordination is much less successful than when located within the state agency. This practice in a considerable number of states lowered the rating on this item.

Allocation of Administrative Responsibilities to Local Education Agencies

This section illustrates the reach of federal law and regulations directly to local education agencies, even when the state agency under its state plan agrees to make the same requirements of the local agencies.

Items C-1 and C-2 are routine in regard to the scope of the local application. They were rated high and ranked 3 and 6, respectively, among the 43 vocational education items. Item C-4 is also routine and was rated 1.768, ranking it 8 among the 43 items. It seemed almost trite to require programs to "make substantial progress toward preparing the persons to be served for a career."

Item C-3 cites a regulation requiring local agencies to develop their applications in consultation with the educational and training resources available in the area to be served. The state committees rated this 2.102, ranking it 25 among the 43 items. The number and diversity of educational and training resources in the area may be difficult to ascertain, and the "consultation" required is not defined.

Item C-5 refers to a regulation requiring an updated five-year plan as part of the local application for meeting the vocational education needs of potential students in the area to be served. The state committees rated this at 2.504, ranking it 39 among the 43 items, with some believing five years impracticable and burdensome for many school districts. A similar requirement in the law for the state agencies to set forth a three-to-five-year program was ranked at 15 (see Item B-3).

Item C-6 deals with the applications for exemplary programs or projects and was rated 1.962, ranking it 16 among the 43 items. It requires local applications to meet requirements similar to those the state plan must prescribe for local applications to the state board for research and training grants and projects, as described in Item B-26, which was rated 2.196 and ranked 31 by the state committees. The lower ranking under B-26 was presumably caused by the requirement that policies and procedures must be written into the state plan.

Item C-7 refers to a requirement in the law that establishes a three-year limit on local exemplary projects or programs. The state committees rated this 2.158, ranking it 29 among the 43 items. The rule makes it impossible to have exemplary projects follow classes of students through more than a three-year period, but it prevents exemplary projects from becoming routine and permits other enterprising innovators to take their turns in operating such projects.

This section is incomplete without consideration of Item 5 and Items 15-24 in Section VI, Special Funding Provisions, which deal with vocational education and some of its most difficult administrative problems. The reader is also referred to Section VII, Public Participation, in which Items A-12 through A-14 and B-11 through B-17 directly concern vocational education. All these items were originally dealt with in this section on vocational education, but in the final instrument were grouped in Sections VI and VII for purposes of direct comparison with similar federal, state, and local requirements in special funding and public participation found in the sections on ESEA Titles I, III, VI, and elsewhere.

Observations

Vocational education is committed to providing occupational and continuing education programs to youth and adults in preparation for employment and responsible citizenship. Its practitioners are experienced in providing occupational training programs within the long established structures of public education, where it is basically integral to the practical development and maturity of American youth. The more recent emergency programs for dropouts, out of school youths, and underemployed and unemployed adults are basically remedial and are administered more often through noneducational agencies.

One of the strengths of vocational education lies in its well-balanced federal, state, and local administrative system. It has been expanded greatly in recent years, serving people of all ages, ability levels, and socioeconomic backgrounds. Increasingly, federal regulations have accelerated the scope of its services by mandating a series of priorities to ensure that disadvantaged groups shall be the principal beneficiaries of the emergency programs. Vocational education has assumed this load willingly, insofar as it could be assumed within the scope of present facilities and financial resources.

Following the Vocational Education Act of 1963, the state agencies were organized to respond to a number of specific needs: (1) to expand programs beyond the high school level to public and private postsecondary and adult training institutions; and (2) to provide improved services in guidance, research, evaluation, youth services, program planning, public information, teacher education, curriculum development, and concentration on programs for the disadvantaged and handicapped. In addition, state and local vocational educators have been urged to meet employment needs by establishing improved communications with business and industry. The law recognized that these mandates can best be achieved at the state and local levels, where education is closer to the people and to the homes of the persons to be served.

The Vocational Education Act of 1968 confirmed the value of the organizational and administrative structure of the vocational education system. The states are regarded as keystones of the administration of vocational and technical education programs within the federal-state-local structure. The Act reaffirms that the state board for vocational education shall be the sole agency for its administration. The state board is the principal administration and communication link with the local school boards and the federal administrative agency.

Vocational education has both encouraged and exemplified strong administrative excellence at the state and local levels. Half a century ago, vocational educators decided to develop program leadership within the state and local levels. Their youth clubs, practical projects in agriculture and home economics, and their competitions in vocational activities made them pioneers in almost complete accord with their times, working with broad segments of their communities. They allied themselves with county agricultural agents, as well as with the land grant colleges and universities that trained them. They promoted agriculture and homemaking research, and they distributed the findings of that research at the high school level and among adults in the community. They constantly promoted technology and the practical applications of technology in agriculture, business, trades, industries, and personal living. Perhaps as much as any group of educators, they have helped to make the United States a world model of productiveness.

Certain anomalies were observed in this study. There appears to be something of a contest among federal, state, and local vocational administrators. The local program leaders, and to a large extent vocational educators at the state level, seem to be trying to maintain strong elements of state and especially local control over vocational programs. At the same time, some federal administrators seem to be pressing specific mandatory federal regulations upon them, quite often with unnecessary or irrelevant requirements. These assignments consume such large amounts of time and attention that paperwork may be displacing work on operating programs of vocational education. The state and local responses have sometimes amounted to no more than compliance pro forma. There is so little federal follow-up in terms of service, so little program benefit in the paperwork performed, that an almost subterranean independence with substantial disregard of such mandates may be increasing.

The Vocational Education Act of 1968 seems nearly ideal in theory, but its federal administration may have managed to submerge the stimulating, cooperative results that might have emerged from such a well-intentioned statute. Of all the areas studied, vocational education could well be the last to need nationally prescribed details of local and state programs. Its background of state and local autonomy but full federal cooperation still influences vocational educators. They feel the lack of cooperative services, and their capacity to shrug off restrictive influences is being tested.

SECTION VI: Special Funding Provisions

In early drafts of the research instrument, the items of this section were isolated among the sections on ESEA Titles I, III, VI, and Vocational Education. After several tryout seminars with state committees, however, it became clear that these items were more relevant when considered together. The 27 items were accordingly clustered in this section on special funding provisions. When the rating scale was applied, the items related to each other in a more stimulating context. The final tabulations show that the evidence of this section strongly reinforces important conclusions

Special Funding Provisions

Item Number	STATE						LOCAL						COMBINED					
	Ratings				Average Rating	Rank Among Items	Ratings				Average Rating	Rank Among Items	Ratings				Average Rating	Rank Among Items
(Research Instruments)	1	2	3	4			1	2	3	4			1	2	3	4		
1	10	12	14	19	2.763	24	7	18	17	12	2.629	21	17	30	31	31	2.697	24
2	47	5	1	2	1.236	2	34	12	8	0	1.518	6	81	17	9	2	1.376	5
3	42	9	0	4	1.381	8	31	20	3	0	1.481	5	73	29	3	4	1.431	7
4	45	9	1	0	1.200	1	39	14	1	0	1.296	2	84	23	2	0	1.247	1
5	45	7	3	0	1.236	2	42	10	1	1	1.277	1	87	17	4	1	1.256	2
6	41	13	1	0	1.272	5	34	17	2	1	1.444	4	75	30	3	1	1.357	4
7	38	13	3	0	1.351	7	28	20	4	1	1.584	9	66	33	7	1	1.467	8
7a	41	14	0	0	1.254	4	29	23	1	1	1.518	6	70	37	1	1	1.385	6
7b	32	17	2	3	1.555	13	29	18	5	2	1.629	10	61	35	7	5	1.592	9
7c	42	11	1	1	1.290	6	37	13	3	1	1.407	3	79	24	4	2	1.348	3
8	13	27	9	6	2.145	15	10	23	16	5	2.296	16	23	50	25	11	2.220	17
9	9	32	9	5	2.181	17	12	25	12	5	2.185	15	21	57	21	10	2.183	16
10	23	23	7	0	1.698	14	27	26	1	0	1.518	6	50	49	8	0	1.607	11
11	36	11	3	3	1.490	10	21	23	5	3	1.807	14	57	34	8	6	1.647	12
12	35	13	2	2	1.442	9	23	24	5	2	1.740	11	58	37	7	4	1.594	10
13	27	23	3	0	1.547	12	21	25	6	2	1.796	13	48	48	9	2	1.672	14
14	29	19	4	0	1.519	11	21	26	5	2	1.777	12	50	45	9	2	1.650	13
15	6	19	14	15	2.703	23	8	25	12	8	2.377	17	14	44	28	23	2.566	21
16	9	15	15	15	2.660	22	7	20	17	10	2.555	20	16	35	42	25	2.611	22
17	3	13	25	14	2.909	25	3	17	23	11	2.777	23	6	30	48	25	2.844	26
18	0	8	31	16	3.145	27	1	11	31	11	2.962	26	1	19	62	27	2.137	15
19	9	14	24	8	2.563	20	5	14	22	13	2.796	24	14	28	46	21	2.678	23
20	10	25	15	4	2.240	18	8	21	15	10	2.500	19	18	46	30	14	2.370	19
21	10	15	21	8	2.500	19	8	16	18	12	2.629	21	18	31	39	20	2.564	20
22	8	20	10	16	2.629	21	4	11	20	19	3.000	27	12	31	30	35	2.814	25
23	3	9	23	18	3.056	26	2	15	27	9	2.811	25	5	26	50	27	2.933	27
24	15	17	16	4	2.173	16	8	19	18	7	2.461	18	23	36	34	11	2.317	18

in the problem centered Chapter 1, which deals with coordination of program authorizations and appropriations.

Congress has made several efforts to improve coordination of federal program authorizations and their funding. These include continuing resolutions (Item 1), advance funding (Item 2), a requirement that funds will remain available for obligation and expenditure to the end of the fiscal year (Item 3), carry-over of funds to the end of a second fiscal year (Items 4, 6), and carry-over of funds until expended (Item 5).

Continuing Resolutions

Item 1 on continuing resolutions was rated low, at 2.697, by the 109 members of the eight state project committees, with only 3 of the 27 items in this section rated lower. Although such resolutions have been praised because they allow programs to continue when they might otherwise lapse, there is persuasive evidence that this legislative crutch may be more damaging than helpful. It is the easiest of the palliatives, but it defers the remedies that are at hand.

A continuing resolution freezes the program of the past year into one or more temporizing periods of the current year. Planning, innovations, and program improvements languish under the restrictions and uncertainties of the moratorium on changes. State and local administrators have learned that one continuing resolution leads to others, and that lack of urgency in Congress continues as the crisis deepens in terms of administering effective programs in the schools. The continuing resolution has seemed almost an annual guarantor of congressional deferral in solving the problem of coordination of program authorizations and funding.

In recent years Congress has passed several measures that could, if implemented and liberally construed, lessen its dependence on continuing resolutions. Except for the more fundamental change of the federal fiscal year, which is treated in Chapter 1, Items 2-6 are among the most important factors in eliminating numerous difficulties caused by lack of coordination. They could serve as insurance against the breakdown of any new system of coordination that may be tried. All these measures were rated high by the eight state committees as supporting the educational objectives of the federal laws.

Advance Funding

Item 2 deals with the 1967 law authorizing funding of educational programs for a year in advance. It has been used only for ESEA Title I for fiscal year 1970. From the viewpoint of education it was successful, and at 1.376 only 4 of the 27 items were rated higher by the state committees, but thus far no further advance funding for any program has been provided. Advance program authorizations must precede advance funding, and the collection of formula data and preparation of estimates necessary for funding in advance may need to be scheduled and completed earlier than at present. The provisions in the following Items 3, 4, and 5, however, could make the timing of the formula data and estimates less critical by allowing estimates and adjustments to be made more flexibly over a longer period free of arbitrary deadlines.

Availability of Funds Throughout the Fiscal Year

Item 3 refers to an amendment of ESEA attached to the Vocational Education Act of 1968, but it is applied to all programs administered by the U.S. Commissioner of Education. It mandates him to keep funds appropriated for a fiscal year available for obligation throughout the fiscal year. It was rated 1.431 and ranked 7 among 27 items, permitting reasonable achievement of program objectives.

The Office of Education requires that funds allotted to continuing programs operating through state agencies revert to the federal government if they are not obligated within the fiscal year for which they were allotted. Federal administrators have occasionally sought to reclaim federal funds regarded as unnecessary to complete programs for a fiscal year before local administrators could obligate and retain those funds. The state committees agreed that the federal law prohibiting early recall of federal funds is desirable.

Carry-Over Provisions Affecting Federal Funds

Item 4 authorizes carry-over through a second fiscal year of funds not obligated or expended during the year for which they were appropriated. Limited by short-term program authorizations, it applies only to programs ending before July 1, 1973. The law has been liberally construed to affect all programs for which the U.S. Commissioner of Education has administrative responsibility.

This item was ranked first among the 27 items of this section and rated 1.247. It could eliminate the waste involved in obligating all allotted federal funds before the end of the fiscal year. It could make the mandate of Item 3 unnecessary, insofar as premature reversion of funds under federal administrative orders are caused by improvident obligation of funds late in the fiscal year to prevent reversion. It can do much to establish equitable and reasonable administration of federal funds for education at all levels.

Item 5 illustrates the willingness of Congress to enact very liberal carry-over provisions for selected programs of which it highly approves. The law makes funds for the relatively small and specialized exemplary programs in vocational education available until expended. Item 5 was ranked 2 and rated 1.256 by the state committees in terms of desirability, second only to Item 4, which is less liberal on carry-over of funds but much broader in application.

Item 6 cites a law authorizing obligations and payments to local agencies throughout the fiscal year next following the first fiscal year in which obligations were made and payments authorized. It is applicable only to P.L. 81-874, the federal "impact" law. In spite of its limited application, the state committees ranked it 4 among the 27 items in helpfulness to educational programs and rated it 1.357.

It appears doubtful that this law was really needed when made or would be needed today. The reader is referred to Chapter 1 for the administrative development of customs and regulations that led to application of the restrictions of the fiscal year only to programs regularly administered through the states on a continuous basis.

These restrictions have been relaxed somewhat when circumstances have clearly required it. ESEA Titles I and VI now operate on an "award year," covering the period from September 1 of the current fiscal year through August 31 of the following fiscal year, during which time programs or projects may be approved or initiated. The traditional fiscal year remains, with personal services, travel, rental, and other items charged to the award year in which the services have been performed or the equipment or facilities used. New complications, with two fiscal years and two award years overlapping each other at all times, arise because the limitations of a fiscal year no longer serviceable are being preserved.

Item 7 concerns the choices of methods state agencies may exercise in paying federal funds to local education agencies. These choices include both advance funding and exclusive use of reimbursement after local expenditures have been made. The state committees rated these alternatives 1.385 and 1.592 and ranked them 6 and 9, respectively, among the 27 items in Section VI, both relatively high, with advance funding favored. State use of either advance or reimbursement methods, or a combination of these methods, was rated higher, at 1.348, ranking 3 among the 27 items as best supporting program objectives. This is because the state committees believe the states should be entirely free to use whatever methods they prefer. Some circumstances call for advance funding, some for reimbursement, and still others for a variety of methods among and even within individual programs. Many participants intimated in the seminars that modernization of the methods used in the funding operations of several of the states would be helpful to all concerned. The "letter of credit" system has facilitated transactions greatly in recent years, although new deadlines and restrictions in regard to its administration have lessened its helpfulness.

Special Incentive Grants for Fiscal Effort

Item 8 defines the financial effort that qualifies a state to receive incentive grants under ESEA Title I and was rated 2.220. Item 9 requires state agencies to distribute such incentive funds to local agencies with the greatest need for additional Title I funds and was rated 2.183. The relatively low state committee rankings of these items (17 and 16, respectively, among 27 items) spring from a widespread belief that other incentive grants thus far usually have made the rich richer and the poor poorer.

The U.S. Commissioner must approve the policies and procedures established by the states for distribution of the grants to local agencies, to be used as criteria for decisions of the states in redirecting the incentive grant funds to districts most in need of additional Title I funds.

Provisions Affecting Interest Earned on Federal Funds

Items 10 and 11 are derived from a federal statute, P.L. 90-577, Title II, Sec. 203, enacted on October 16, 1968, and reported at 42 U.S.C. 4213. Item 10 cites the statute that federal agencies must schedule funds to the states in ways to reduce interest earned before the states disburse the funds. Item 11 cites the portion of the statute holding that interest earned on federal funds while a state has possession of them belongs absolutely to the state for its own uses. The state project committees rated the two items 1.607 and 1.647 and ranked them 11 and 12 of 27, respectively. The rating on Item 11 undoubtedly would have been considerably higher had the statute restricted the use of interest funds by the states to local or state educational programs for which the principal federal funds were intended. The only probable limitation on the use of these funds is that they must be expended for purposes within the scope of the educational authority of the state agency if the funds are controlled by it; if the general treasury of the state receives them, they could presumably be appropriated as general funds of the state.

Federal Funds for State Administration

During the early years of the Elementary and Secondary Education Act of 1965, perhaps the most bitter complaint of the state educational agencies was the shortage of funds to employ professional personnel for their suddenly increased administrative responsibilities. For two years or longer, many chief state school officers pressed both their states and the Congress for increased assistance. Items 12, 13, and 14 present the provisions in 1970 for ESEA Titles I, III, and VI, respectively, each with its own formula for computing specific sums from its federal allotment to be used for state administration. No such formula can fit all states equally well, even with alternative provisions to take into account some of the varying needs of the states. The result of the ratings by the eight state committees on Items 12, 13, and 14 was 1.594, 1.672, and 1.650 and rankings of 10, 14, and 13, respectively, surprisingly low among the 27 items.

Comments in the state committees indicated that the inadequacy of the funds to meet the administrative costs in their particular operating situations seemed to account for the lower ratings. There was no mention in any seminar of fears of federal dominance of the state agencies, fears expressed since 1965 by opponents of federal funding of administrative costs at the state level. The absence of such fears may be explained principally by the fact that the state agencies assume responsibility for personnel administration of all their employees, regardless of the original sources of funds for their support.

Federal Financing of National and State Advisory Councils

Items 15 and 16 authorize federal funds for the operation of national and state advisory councils on vocational education. The national council has a line item in the federal appropriations law. The state boards for vocational education serve as fiscal agents to pay earmarked federal funds to the state advisory councils, which also have a line item in the federal appropriations law. The state project committees rated Items 15 and 16 at 2.566 and 2.611, respectively, ranking them 21 and 22 among the 27 items in Section VI. The committee members from the eight state agencies rated both items lower than did their colleagues from local agencies.

The relatively low ratings can be accounted for by feelings about the suspected establishment of a federally supported federal-state-local track of advisory and administrative influence operating independently from the state agencies primarily responsible for administration of vocational education. Federal statutes have mandated that state advisory councils shall evaluate all local vocational programs, thus adding an important administrative responsibility that parallels the state agency's official responsibility for program evaluation.

In states where the state boards are elected by the people or by a state legislature, the state agency usually ensures substantial cooperation because the state board appoints the state council. In most states the governor appoints the state advisory council. In these the officially responsible state program agency can be subordinated to an independent, federally financed state agency that reports to an independent national council, an arrangement many administrators believe can easily become unworkable.

State Allotments Set Aside for Federal-Local Administration

Items 17 and 18 deal with 50 percent set-asides in vocational education, the first for grants and contracts for research and training, and the second for grants and contracts for exemplary programs and projects.

The state committees rated Item 17 at 2.844, next to the least desirable of the 27 items. One reason for this rating was that such divided administration of small categorical aids with meager funds leads to confusion and excessive administrative costs. Another was that various nonprofit institutions of higher education and vocational training institutions were included as eligible grantees along with state boards and local education agencies, the latter with the consent of the state boards. This spread the funds too thin for effective and economical administration.

The state project committees rated Item 18 at 2.137, ranking it 15 among the 27 items. A majority of the committees ordinarily would prefer no such federal set-aside, but they believed the development of exemplary programs and projects in vocational education under the U.S. Commissioner had worked reasonably well.

Federal Set-Asides for the Benefit of Selected Groups of Persons

The next three items deal with set-asides of federal funds for state administered programs aimed at persons with academic, socioeconomic, or other handicaps (Item 19), for dropouts or high school graduates needing specific training to prepare themselves for jobs (Item 20), and for handicapped persons who need special assistance or modified programs (Item 21). Percentages of the state's vocational education allotment are earmarked: at least 15 percent under Item 19, at least 15 percent under Item 20, and at least 10 percent under Item 21. Thus at least 40 percent of a state's allocation is channeled into three categorical programs according to prospective clientele. The state project committees rated these items 2.678, 2.370, and 2.564, ranking them 23, 19, and 20, respectively, among the 27 items.

Excessive paperwork and expensive administrative activities result from this earmarking. The local education agencies in most states have no consistent 15-15-10 proportion of the three classes of students, which creates difficult problems in funding and financial reporting. The committees believe these programs are paid for dearly in terms of complicated management seeking to conform with locally unrealistic federal mandates that have the force of law in terms of minimum percentages of students and funds.

Further Federal Requirements in Vocational Education

Items 22, 23, and 24 refer to regulations requiring further definitive requirements in vocational education that can seldom be met fully in practice.

Item 22 requires that every school, class, program, or activity involving any use of state and local matching funds must meet all federal requirements even if no federal funds are involved. The state committees rated this item 2.814, ranking it 25 among the 27 items, principally because the federal requirements are believed too restrictive and complicated to apply to programs supported without federal funds.

Item 23 refers to a regulation requiring detailed matching prescriptions that brought it the lowest rating (2.933) and the lowest ranking among the 27 items. Discussions with the state committees revealed opinions that the multiplicity of requirements are substantially irrelevant to the quality of the programs, often leading to shortcuts in management and administrative reporting primarily to show compliance.

Item 24 describes a modest concession in the direction of relieving the overload of financial paperwork. It permits statewide matching, but for each of several categorical programs rather than for vocational education as a whole. It was rated 2.317 and ranked 18.

The splintering of such highly structured programs at the local level for funding and reporting purposes is often uneconomical and administratively burdensome. In one seminar there was apparent consensus that elimination of at least 50 percent of the federal administrative requirements in vocational education, far from being missed, would improve the programs in terms of program objectives.

This section supplies verification in the eight state study of the conclusions reached in Chapter 1 concerning the lack of coordination of program authorizations and funding. The study preceded the use of traditional research methods in Chapter 1. The *program* centered approach of the study and the *problem* centered approach of Chapter 1 have produced two sets of conclusions mutually supportive.

SECTION VII: Public Participation

In recent years, many federal statutes authorizing aid to education have mandated or encouraged federal, state, and local education agencies to involve advisory groups and selected individuals in activities related to intergovernmental programs of education. The purposes of such involvement are twofold: to provide channels for advice from the community to the official agencies, and to develop broader community understanding of the programs.

Public participation ranges from being a member of a Presidential advisory council to serving as a community representative in planning a Title I project for a single school. At all levels there has been an increasing tendency for the statutes to assign some administrative responsibilities to advisory groups. This raises some questions about the propriety of establishing by law a second administrative track outside the legally responsible federal, state, and local education agencies. It should be borne in mind that the ratings on the items describing the responsibilities and activities of advisory groups reflect the concern of state and local administrators about using such groups to establish a second administrative track among the three governmental levels.

Advisory Councils at the Federal Level

The general role, function, and structure of advisory councils at the federal level have most recently been defined in P.L. 91-230, enacted in April of 1970. Prior to that time each advisory group was organized according to the specific authorizing legislation. The development of general legislation has made the operation of these councils more uniform but not necessarily more effective.

National Advisory Councils

Item A-1 states that national advisory councils are established to review the effectiveness of the several titles or Acts in achieving the stated objectives of their respective programs. The eight state committees rated this at 2.082, ranking it 25 out of 40 items. There appeared to be a belief among committee members that the size and scope of most current federal aid programs put them beyond the effective grasp of groups which are not fully involved in their management. The occasional visitor on the scene has insufficient knowledge to review the complex administrative patterns or educational results of large programs effectively.

Item A-2, citing the law that the U.S. Commissioner may not serve as a member of any advisory council, was rated 1.740 as supporting achievement of program objectives. There was consensus that if a council is to perform its advisory function, the person who is administratively responsible for the program ought not to sit on the council. He should be the recipient of their collective opinion rather than an influence on their deliberations.

Item A-3 requires that each national advisory council submit an annual report of its activities, findings, and recommendations to Congress as part of the Commissioner's report. It was rated 1.935 by the state committees. The rating does not reflect the belief expressed by many that while a council should be expected to report on its activities, such a report rarely affects future

Public Participation

Item Number	STATE						LOCAL						COMBINED					
	Ratings				Average Rating	Rank Among Items	Ratings				Average Rating	Rank Among Items	Ratings				Average Rating	Rank Among Items
(Research Instruments)	1	2	3	4			1	2	3	4			1	2	3	4		
A.1	18	24	10	3	1.963	24	12	23	15	4	2.203	24	30	47	25	7	2.082	25
2	33	11	9	2	1.636	5	23	20	5	5	1.849	7	56	31	14	7	1.740	7
3	23	20	8	4	1.872	18	16	25	10	3	2.000	10	39	45	18	7	1.935	16
4	21	24	3	5	1.849	16	17	24	8	5	2.018	14	39	48	11	10	1.934	15
5	16	30	5	4	1.945	22	13	28	8	5	2.092	17	29	58	13	9	1.926	14
6a	20	33	1	1	1.690	8	17	28	6	3	1.907	9	37	61	7	4	1.798	9
6b	22	30	2	1	1.672	7	24	24	4	2	1.703	3	46	54	6	3	1.688	3
6c	19	33	2	1	1.727	12	21	26	5	2	1.777	5	40	59	7	3	1.752	8
7	20	26	7	1	1.796	13	18	20	14	2	2.000	10	38	46	21	3	1.898	13
8	9	27	14	4	2.240	35	8	26	13	7	2.351	32	17	53	27	11	2.296	32
9	9	30	12	3	2.166	33	11	22	16	5	2.277	28	20	52	28	8	2.222	29
10	13	24	14	4	2.163	32	9	27	14	3	2.207	25	22	51	28	7	2.185	27
11	7	28	15	5	2.327	38	11	24	14	4	2.207	25	18	52	29	9	2.268	30
12	15	21	15	4	2.145	31	7	17	19	9	2.576	38	22	38	34	13	2.355	36
13	15	24	11	5	2.109	27	9	20	16	8	2.433	33	24	44	27	13	2.268	30
14	14	15	17	7	2.320	36	11	20	16	6	2.320	30	25	35	33	13	2.320	34
B.1	33	21	0	1	1.436	1	22	23	5	3	1.792	6	55	44	5	4	1.611	1
2	32	21	1	1	1.472	2	22	25	3	3	1.754	4	54	46	4	4	1.611	1
3	25	23	5	2	1.709	10	7	26	12	6	2.333	31	32	49	17	8	2.009	21
4	17	28	5	4	1.925	20	11	27	12	4	2.166	22	28	55	17	8	2.046	23
5	12	35	4	3	1.962	23	10	31	9	3	2,094	18	22	66	13	6	2.028	22
6	25	27	0	1	1.566	3	16	30	4	3	1.886	8	41	57	4	4	1.726	6
7	12	31	6	4	2.037	26	14	23	11	5	2.132	21	26	54	17	9	2.084	26
8	10	21	17	5	2.320	36	10	15	17	11	2.547	36	20	36	34	16	2.433	38
9	15	22	13	4	2.111	29	10	25	10	8	2.301	29	25	47	23	12	2.205	28
10	15	31	6	1	1.867	17	12	28	9	4	2.094	18	27	59	15	5	1.981	19
11	18	15	15	6	2.166	33	8	20	18	8	2.481	34	26	35	33	14	2.324	35
12	9	18	9	18	2.666	39	10	16	12	16	2.629	39	19	34	21	34	2.648	39
13	9	16	8	21	2.759	40	9	17	17	11	2.555	37	18	33	25	32	2.657	40
14a	27	21	3	3	1.666	6	18	22	7	7	2.055	16	45	43	10	10	1.861	10
14b	26	20	5	3	1.722	11	15	21	8	8	2.173	23	41	41	13	11	1.943	17
15	20	21	7	6	1.981	25	21	18	7	7	2.000	10	41	39	14	13	1.990	20
16	19	25	5	5	1.925	20	17	24	7	5	2.000	10	36	49	12	10	1.962	18
17	19	29	4	2	1.796	13	25	22	4	1	1.634	2	44	51	8	3	1.716	5
C.1	13	28	9	5	2.109	27	8	13	19	14	2.722	40	21	41	28	19	2,412	37
2	23	23	6	3	1.800	15	28	21	4	1	1.592	1	51	44	10	4	1.697	4
3	29	21	3	2	1.600	4	18	16	15	5	2.129	20	47	37	18	7	1.862	12
4	18	30	3	4	1.872	18	13	20	15	6	2.259	27	31	50	18	10	2.064	24
5	22	27	4	1	1.703	9	14	27	11	2	2.018	14	36	54	15	3	1.861	10
6	11	27	14	2	2.129	31	9	17	20	8	2.500	35	20	44	34	10	2.314	33

legislation or program administration.

A Presidential advisory council is authorized as described in Item A-4 to obtain, without regard to the civil service laws, the services of professional, technical, and clerical personnel to enable it to carry out its functions. The committees rated it 1.934. Both this and the preceding item reflect a consensus that if there are to be advisory councils, they must have the necessary staff to perfom their duties and be required to account for their activities.

Item A-5, stating that the Commissioner must engage personnel and technical assistance required by Secretarial and Commissioner's advisory councils to carry out their functions, was rated 1.926 and ranked 14 among 40 items.

Nonstatutory Advisory Groups

Item A-6 cites authorization for the Commissioner to create councils to advise him with respect to certain matters:

a. the organization of the Office of Education and the administration of applicable programs, rated 1.798;
b. recommendations for legislation regarding educational programs, and the means by which the educational needs of the nation may be met, rated 1.688; and
c. special problems and areas of special interest in education, rated 1.752.

The committees believed that the Commissioner ought to have the privilege of calling upon representative persons from outside the federal establishment to advise him if he so desires.

An advisory council as described above must terminate in one year, unless the Commissioner determines that its existence for no more than one additional year is necessary to complete its work. This limitation, described in Item A-7, was rated 1.898, ranking it 13 among 40 items. The time limitation was considered reasonable by committee members who felt that such a deadline encouraged these councils to complete their studies and to issue reports.

Item A-8 refers to the requirement that the Commissioner appoint advisory councils to advise and make recommendations with respect to applications for grants or contracts as required by statute. It was rated 2.296 and ranked 32 among 40 items. These councils tend to operate slowly and delay action on applications.

National Advisory Councils for Specific Programs

Item A-9 requires that the National Advisory Council on the Education of Disadvantaged Children report specifically on which of the compensatory education programs hold the highest promise for raising the educational attainment of such children. The committees, rating this 2.222 and ranking it 29 among 40 items, believed that this type of report was not likely to be effective in improving educational programs for disadvantaged children for several reasons. The time and money limitation on such a group make it impossible for them to evaluate or even observe enough programs to make valid selections of those which hold highest promise. Moreover, these reports tend to emphasize programs which are experimental, have very high per-pupil expenditures, are well publicized by the local school systems, and usually are in urban areas. Programs described in recent annual reports of the Council would be most difficult for the majority of small school systems to replicate; nor would they necessarily meet pupil needs in many communities any more effectively than what is currently being done. Therefore, the report tends to serve only as a showcase for a few selected programs in local agencies with large funds and excellent personnel which may not be the best prototypes for local systems in which dissimilar conditions prevail.

Item A-10 states that the National Advisory Council on Supplementary Centers and Services (ESEA Title III) must review, evaluate, and transmit to Congress and the President reports from the respective state advisory councils. This was rated 2.185 and ranked 27. Many committee members believe that such lines of communication tend to establish separate administrative tracks which may eventually abrogate authority that is properly vested in the federal and state education agencies responsible for their administration.

The requirement that the National Advisory Council for Supplementary Centers and Services evaluate programs and projects carried out under Title III and disseminate the results thereof is described in Item A-11. It was rated at 2.268, ranking 30 among 40 items. The committees felt that it is not possible for a national council to perform such evaluations effectively. Furthermore, program evaluation is a function of the responsible administrative agency rather than an advisory group.

Item A-12 describes the requirement that the National Advisory Council on Vocational Education have at least one-third of its membership representative of the general public, including parents and children, but with no professional connection with vocational education or school administration. This item ranked 36 among 40, with a rating of 2.355. The consensus among the committee members appeared to be that such a proportion of nonprofessionals on an advisory council tended to reduce its effectiveness. It was believed that better advice and recommendations could be provided by persons with a professional background in the field.

Item A-13 requires that the National Advisory Council on Vocational Education conduct independent evaluations of programs carried out under the law and publish and distribute the results thereof. This item's rating of 2.268 and rank of 30 are identical with those for Item A-11, which describes the evaluation requirement for the Title III council. The same objections also were presented.

Item A-14 states that the National Advisory Council on Vocational Education must review the possible duplication of vocational education programs at the postsecondary and adult levels within geographic areas, and that it make annual reports of its findings and recommendations to the Secretary. It was rated 2.320, ranking 34 among the 40 items. Committee members believed that this is an inappropriate task for an advisory council. Studies of this type are more appropriately undertaken by administrative agencies which are more likely to have the necessary background knowledge and understanding on which to base the recommendations.

Advisory Councils at the State Level

Two of the four federal programs included in this study require the establishment of advisory councils at the state level: Title III of the Elementary and Secondary Education Act, and the Vocational Education Act of 1968. The appointment of members, the prescribed relationship between the council and the state agency, and the method of funding council activities are very different for these two councils. These differences are reflected in the ratings of the committees.

State Advisory Council for Title III

The state advisory council for Title III is appointed by the state education agency. This method of appointment, described in Item B-1, was rated 1.611 and ranked first among the 40 items describing public participation. Committee members believed that a state agency should have the responsibility to appoint a council which will serve that agency in an advisory capacity.

Also rated 1.611 and ranking first was Item B-2, which cites the requirement of the law that a Title III state advisory council include persons representative of elementary and secondary schools, institutions of higher education, and areas of competence in the education of the handicapped. It is believed by committee members that such persons can advise the state agency effectively about Title III because of their professional experience and understanding of the purposes and objectives of the program.

Item B-3 describes the requirement that the Title III state council include a person representative of low income groups. It is rated 2.009, ranking 21. This requirement, first established in the administrative guidelines written in early 1968, was one of the then-Commissioner's responses to the demands for greater participation of the poor who camped on the Mall. The requirement has been incorporated into the draft copy of the proposed regulations governing the administration of P.L. 91-230, passed in April 1970. Local administrators rated the requirement lower than did state administrators on the committees. The most frequent reason for this was the belief that it is not proper for a federal agency to mandate representation of one economic segment of the public on such a council when the program is not limited by law to serving their interests.

The law requires, as cited in Item B-4, that the Title III state advisory council hold at least one public meeting a year to give the public an opportunity to express views concerning the administration and operation of Title III. It was rated 2.046 with a rank of 23 among the 40 items. The experience of committee members has been that public meetings tend to generate little interest except for the occasional malcontent or militant. Therefore, the efforts are nonproductive of general response and tend to reflect only extreme views.

Item B-5, describing the requirement that the state advisory council for Title III prepare and submit through the state agency reports of its activities, recommendations, and evaluations to the Commissioner and to the national advisory council, was rated 2.028 with a rank of 22 among 40 items.

In implementing the changes made in Title III by the passage of P.L. 90-247 late in 1967, there was much emphasis on the statutory language that the state shall establish *within* its state agency a state advisory council. The result was that the state agency ordinarily furnished the advisory council with offices and staff, and that the evaluation reports of the state agency and the advisory council were reduced to a single report for submission to the Commissioner and the national advisory council for Title III. Amendments under P.L. 91-230 of 1970, however, mandated that state advisory councils not only shall be authorized to employ professional, technical, and clerical personnel, but also may contract for performance of their evaluation functions.

In Item B-6 the state agency's right to make recommendations and comments on state advisory council reports before it sends the reports to the Commissioner and national council is cited from the regulations. The committees rated the item 1.726, ranking it 6 among 40. Committee members believed that the state agency's right to present its point of view in instances where it differs from that of the council was very important. It recognizes the state agency's ultimate authority as the responsible administrative agency.

Item B-7 requires the state agency to consult with the Title III council on the preparation of the state plan, including policy matters arising in its administration and development of criteria for approval of applications under the plan. This item was rated 2.084 and ranked 26. The law, regulations, and guidelines are very explicit in detailing components of the state plan, including criteria for project approval, so that there is little opportunity to make meaningful choices or decisions. As a result, the required consultations become pro forma activities.

The state agency is required by law, as cited in Item B-8, to submit to the Title III advisory council for review and recommendations each application for a grant under the state plan. This was rated 2.433 and ranked 38 among 40 items. Committee members expressed several reasons for believing that this requirement retards achievement of program objectives. It is difficult to bring members of such a group together for a sufficient length of time to orient them to the review process, to permit them to read and study all of the applications, to familiarize them with peculiar local conditions which should be considered, and to make unhurried decisions. The diversity of background and experience of members of most councils means that their familiarity with good educational practices varies so widely that the validity of their recommendations may be doubtful. As a result this process also becomes a formality and tends to make little positive contribution to the program.

Item B-9 cites the requirement that the Title III state advisory council evaluate at least annually all projects funded under the state plan. It ranked 28 with a rating of 2.205. The committees viewed evaluation of projects as an administrative activity, not an advisory function, and felt strongly that it was the responsibility of state agencies. The problems generated by lack of time and professional experience were also cited as reasons why advisory councils do not have a valid role in the evaluative process. Many state coordinators for Title III, expressing a somewhat different opinion, felt that including members of the advisory council in evaluation provides both state and local agencies with an outside viewpoint when there are differences between them.

Title VI

Title VI of the Elementary and Secondary Education Act does not require the state agency to establish an advisory council. If a state uses advisory committees with respect to any aspects of its Title VI state plan, the plan must describe the membership, method of establishment, and duties of such advisory committees. This requirement, described in Item B-10, was rated 1.981, ranking 19, by the committees. The state administrators on the committees believed that the freedom to use or not use advisory groups permitted them to form ad hoc committees as the need arises. Many stated that the informal, noninstitutionalized nature of such groups enables them to perform the specific tasks assigned to them very effectively.

State Advisory Councils on Vocational Education

The state advisory council on vocational education is appointed by the governor or by the state board when members of that board are elected by the people or by the state legislature. Item B-11 describes this procedure, which was rated 2.324, ranking 35 among 40. Committee members from states with an elected state board considered it less likely to create difficult situations than those members from states where the governor had the appointment authority. Even though the relationships might at the moment be cordial, the future possibility of difficulties was a consideration in their ratings. Also, the majority of committee members believed that a state board should have the authority to appoint its own advisors in all instances.

Item B-12, stating that the advisory council on vocational education is to be separate and independent from the state board, was rated 2.648 and ranked 39 of 40 items. This mandated separation and independence provides every opportunity for the establishment of a dual track of administrative and reporting authority despite the fact that there is only one fully responsible legal agency with administrative authority at the state level. It also creates a situation in which some state agency staff members responsible for vocational education programs have two bodies to which they report and from which they receive recommendations and directives.

In Item B-13 the professional, technical, and clerical staff on the state advisory council is subject only to the supervision of the state advisory council. This was rated 2.657, ranking last of the items in this section. The establishment of a totally independent staff for the advisory council is regarded as a duplication of personnel which can only lead to overlapping and conflicting efforts.

The state advisory council on vocational education must include, among others, at least one person having special experience or qualifications with respect to vocational education who is not involved in the administration of state or local vocational education programs. This requirement, in Item B-14-a, was rated 1.861 and ranked 10 by the committees. Item B-14-b, requiring that at least one person representative of and knowledgeable about the poor and disadvantaged be on the advisory council, was rated 1.943 and ranked 17. The local administrators on the committees rated both of these items lower than the state administrators.

Item B-15 states that the advisory council must prepare and submit through the state board an annual budget covering the proposed expenditures of the council and its staff. The state board has no authority to adjust, approve, or disapprove the budget; it serves only as a fiscal agent for the council. This item was rated 1.990 and ranked 20 among the 40 items. Committee members expressed concern that the state board was required to act as fiscal agent for a budget which it had no authority to approve or means of enforcing.

Item B-16 requires that the state vocational education board give reasonable notice and opportunity for a public hearing on its state plan before submitting it to the Commissioner for approval. It was rated 1.962, ranking 18.

Item B-17 cites a requirement that the state board ensure that copies of the state plan and related materials concerning its administration are reasonably available to the public. It ranked 5 with a rating of 1.716. The requirements described in Items B-16 and B-17 support contemporary views about public access to information evident in recent legislation in many states.

Public Participation at the Local Level

Public participation in the planning and development of federally funded programs at the local level is, for the most part, confined to parents and educators of children who will be involved in the program. It is of a less formal nature, without specified representation, required terms of office, or clearly defined responsibilities.

Title I

Item C-1 states that each local agency must provide for maximum practical involvement of parents of educationally deprived children in the planning, development, operation, and appraisal of Title I projects. It was rated 2.109 by state administrators, 2.722 by local administrators, and 2.412 by the total committees. The intent of this requirement was to use Title I as a vehicle for establishing communication with parents who in the past have had little or no contact with the schools or whose contacts have tended to be negative. Local administrators who have made sincere efforts to fulfill this regulation find that the time consumed has been great while the amount of real parent involvement has been small. Too often parents approach the school system with negative attitudes and complaints without making any positive recommendations or contributions.

Item C-2, describing the option of the local agency to establish a local advisory committee to assist in the planning, operation, and appraisal of Title I projects, was rated 1.697 and ranked 4 among the 40 items. Local administrators expressed the view that making the establishment of advisory committees optional permitted them the necessary discretion of operating in the most effective way for their particular communities. The high rating is primarily attributable to the optional nature of such committees.

If a local agency establishes an advisory committee for a local Title I program, the parents of educationally deprived children must be represented, as stated in Item C-3. This requirement was rated 1.862 by the committees. Local administrators rated this item lower than did state agency staff members. Some people from local agencies believed that advisory committees made up of teachers, curriculum specialists, and community leaders were more effective than those in which parents who knew little about curriculum and the problems of schools were included. Others believe it helpful for parents of educationally disadvantaged children to be represented so that their particular problems may be given specific attention.

Item C-4 cites the regulation requiring that a local agency must consult with persons knowledgeable of the needs of educationally deprived children who reside in the project area and attend private schools to determine their needs and the extent of their participation in the Title I program. It was rated 2.064, ranking 24 among 40 items. Theoretically, such consultation is fine, but in practice it can delay the development of the agency's Title I application in instances when the nonpublic schools make aggressive, unrealistic demands which must be resolved. An underlying factor in the ratings is the view that since Title I funding is inadequate to meet the needs of the educationally deprived children in public schools, it should not be further diluted by spreading services to nonpublic school children.

Item C-5 requires that a local agency consult with other agencies which administer programs serving the needs of educationally deprived children to avoid duplication of effort and to assure the most effective use of Title I funds. It was rated 1.861, ranking 10. The only problem that appears to result from this regulation is an occasional attempt by another agency to dictate program components to the school system. Increased experience of school people with Title I has discouraged these attempts in recent years.

Title III

In an application for a Title III project, a local agency must provide documentation that teachers, students, and others, including those of low income, who are broadly representative of cultural and educational resources and of the public are involved in the planning, implementation, and appraisal of project activities. Item C-

6, describing this regulation, was rated 2.314, ranking 33 among the 40 items. To most local administrators it is another incursion on their limited time which produces very little assistance in project development. For some types of projects, the requirement is meaningless because the input from such a broad representation of the community is of little or no value.

Commentary

Some comments by members of the state committees on certain aspects of public participation were applicable to more than the particular item under discussion at the time. These comments and observations dealt with the broader considerations of the purposes behind the requirements for certain aspects of participation and the results of these activities in terms of the effect on good educational planning and program development.

The most serious concern, expressed in a variety of ways, was the allocation of administrative responsibilties to advisory councils. Although specific requirements vary with the laws, these councils are expected to participate in making program policy, selecting activities for funding, evaluating programs, and other administrative functions.

Almost every federal program which funds projects or programs to be carried out by local agencies includes a requirement that an evaluation strategy be built into the project at the time it is submitted for approval. Evaluation, properly conceived and constructed, is a continuing process which is the responsibility of the administrative agency operating a program. Review of the evaluation process is a continuing function of the responsible agency. In summary, evaluation is an administrative function at each successive level of government. When separated from other program functions and assigned to an advisory council, the efforts of federal, state, and local agencies to make the evaluation process one that contributes to the continuing improvement of programs are adversely affected.

To be most effective, advisory councils ought to report their recommendations to the responsible agency at the level at which they are established. They are not effective as advisory groups in influencing the operations of an agency at one level if they report directly to the next higher governmental level on their views of the agency's operations. This does not foster that atmosphere of trust and cooperation which is essential for effective working relationships. It degenerates into snooping and spying and creates an understandable reluctance on the part of an agency to be open and cooperative with the council.

The fiscal independence of some national and state advisory councils has done nothing to foster good relationships. Some councils have used it to establish staffs which have no clearly defined responsibilities or which attempt to assume administrative authority that is not rightfully theirs.

It is the consensus of state committee members that if advisory councils are to become a permanent part of federal aid to education, their roles and responsibilities must be clearly defined and delimited so that they function as advisory, not administrative, agencies.

Local administrators who viewed the public participation recommendations and requirements of Titles I and III as an opportunity to establish communication with members of the community to be served have had many disappointments, especially the apathy with which their efforts have been received. As a result of their sincere efforts to involve the public in programs, some administrators have acquired fairly sophisticated standard procedures for dealing with the militants and malcontents they know will appear to disrupt their meetings.

There appeared to be almost universal agreement that the public ought to be involved in and concerned about education at every level, but there was equally strong consensus that the manner and degree of involvement mandated by federal laws and regulations are not entirely satisfactory and need to be reviewed and revised.

The Research Instrument

Allocations of Administrative Responsibility

Federal laws authorizing funds for intergovernmental education have their own administrative features, usually combined with characteristic patterns common in such legislation. Their basic purpose is to allocate administrative responsibilities among educational agencies at Federal, State, and local levels. The items that follow have been selected from important intergovernmental programs or areas of education. They refer to specific legislation, regulations, and administrative decisions out of which emerge the administrative patterns and activities that characterize various programs of education.

The items in Section I apply generally to many federally initiated intergovernmental programs. Sections II, III, IV, and V apply to Titles I, III, and VI of the Elementary and Secondary Education Act and to the Vocational Education Act of 1968. Sections VI and VII apply to special funding provisions and public participation more generally.

Please consider each numbered item in terms of whether it supports or retards workable management and administrative arrangements under the circumstances existing at the governmental level at which you function.

Based upon your knowledge of Federal programs, please indicate the number which nearly expresses your considered opinion on each item as described by the rating scale below. Please mark all items.

1. Strongly supports achievement of program objectives.
2. Permits reasonable achievement of program objectives.
3. Mildly retards achievement of program objectives.
4. Strongly retards achievement of program objectives.

Section I—General

A. *The following administrative responsibilities are among those allocated to the U.S. Commissioner:*

1. The Commissioner must establish basic criteria, based on law and regulations, by which the State educational agencies must be governed when they are authorized to approve local applications for programs or projects.

(Circle only one) 1 2 3 4

2. The Commissioner must afford a State educational agency an opportunity for a hearing before its application for funds authorized under any title or Act is finally disapproved.

(Circle only one) 1 2 3 4

3. The Commissioner may reallot funds not being used by a State during the period of availability of the allotment among other States in proportion to their original allotments for that year, or otherwise as provided by statute.

(Circle only one) 1 2 3 4

4. The Commissioner has general authority to make enforceable administrative rules that elaborate on and define policies and procedures covered by the law and the regulations.

(Circle only one) 1 2 3 4

5. The Commissioner may withhold funds under a title or Act if he determines that there is substantial failure to comply with any requirement of the title or Act, unless he has been prohibited from doing so by statute.

(Circle only one) 1 2 3 4

6. In any program administered under a State plan, Federal funds must be expended in accordance with applicable State and local laws, rules, regulations, and standards governing expenditures by the states and their political subdivisions.

(Circle only one) 1 2 3 4

B. *The following administrative responsibilities are among those allocated to the State educational agency:*

1. The State educational agency must insure that a project application from a local educational agency meets the basic criteria established by the Commissioner before funds for the project may be released by the State.

(Circle only one) 1 2 3 4

2. The State agency must provide a local agency with opportunity for a hearing before it finally disapproves any application, in whole or in part.

(Circle only one) 1 2 3 4

3. The State agency must assure that Federal funds are used to supplement, and not supplant, funds from State and local sources.

(Circle only one) 1 2 3 4

4. Before making payments to a local agency, the State agency must find that the combined fiscal effort of the local agency and the State agency has not been less for the preceding year than for the second preceding year.

(Circle only one) 1 2 3 4

5. The State agency may establish its own regulations and guidelines for programs and projects within the State, insofar as these do not conflict with Federal laws, regulations, or enforceable administrative rules.

(Circle only one) 1 2 3 4

6. The State agency must provide State and local fiscal controls and accounting procedures to assure proper disbursement of Federal funds under a State plan.

(Circle only one) 1 2 3 4

7. The State agency must provide that the expenditures made under a State plan will be audited by an appropriate state audit agency or other qualified public accountant.

(Circle only one) 1 2 3 4

8. The State agency may appeal the action of the Commissioner on a State plan in the U.S. Circuit Court of Appeals when dissatisfied, and thereafter appeal further to the U.S. Supreme Court.

(Circle only one) 1 2 3 4

C. *The following administrative responsibilities are among those allocated to the local educational agency:*

1. A local agency must meet the legal requirements of the applicable Federal and State laws, regulations, and enforceable administrative rules in its project applications, its administration of approved projects or educational programs, and its program of financial accounting and reporting involving intergovernmental funds.

(Circle only one) 1 2 3 4

2. A local agency must credit to the Federal Government all proceeds, but not less than the fair market value, received from the sale of property inventoried to a Federally funded project.

(Circle only one) 1 2 3 4

3. A project to be carried out in public facilities, involving joint participation of children from both public and private schools, must make reasonable efforts to avoid classes which are separated by school enrollment or religious affiliation of the children.

(Circle only one) 1 2 3 4

4. A local agency must maintain administrative control and direction over services provided by public school personnel in other than public school facilities.

(Circle only one) 1 2 3 4

Section II—ESEA, Title I

Title I of the Elementary and Secondary Education Act authorizes financial assistance to local educational agencies serving areas with concentrations of children from low-income families to expand and improve their educational programs which contribute particularly to meeting the special educational needs of educationally deprived children.

Based upon your knowledge of Federal programs, please consider each numbered item in terms of whether it supports or retards workable management and administrative arrangements under the circumstances existing at the governmental level at which you function. Please indicate the number which most nearly expresses your considered opinion on each item as described by the rating scale below. Please mark all items.

1. Strongly supports achievement of program objectives.
2. Permits reasonable achievement of program objectives.
3. Mildly retards achievement of program objectives.
4. Strongly retards achievement of program objectives.

A. *The law allocates to the U.S. Commissioner of Education responsibilities for the administration of Title I, such as the following:*

1. The Commissioner must approve an application submitted by the State educational agency, to qualify a State for participation in the grant program under Title I. (90-247 Sec. 106(b))
(Circle only one) 1 2 3 4

2. The Commissioner determines the maximum grant which each county in a State is eligible to receive under the formula in the law. (Regs. 116.3(a))
(Circle only one) 1 2 3 4

3. The Commissioner must approve applications for educational programs to be administered by a State educational agency for the children of migratory agricultural workers. (90-247 Sec. 105(c)(1))
(Circle only one) 1 2 3 4

4. When the Commissioner determines that a State is unable or unwilling to conduct such programs, he may make grants to other public or private nonprofit agencies to provide programs for migratory children. (90-247 Sec. 105(c)(2))
(Circle only one) 1 2 3 4

5. The Commissioner has urged local agencies to assume full financial support of services initiated under Title I as they are extended to children residing in non-project areas, in order to release Title I funds to provide new activities for eligible children. (Program Guides 44 & 45-A)
(Circle only one) 1 2 3 4

B. *The State educational agency has been allocated, among others, the following responsibilities in the administration of Title I:*

1. The State agency must allocate county aggregate maximum grants to the local educational agencies within each county on the basis of statutory criteria. (Reg. 116.4)
(Circle only one) 1 2 3 4

2. The State agency must redistribute funds not used by one local agency on the basis of its determination of actual needs in other local agencies. (Regs. 116.9(b))
(Circle only one) 1 2 3 4

3. The State agency must assure that State and local evaluation reports are made to the Commissioner on a periodic basis. (Regs. 116.31(f))
(Circle only one) 1 2 3 4

4. State and local evaluation reports must include the results of objective measurements of progress toward meeting the special educational needs of Title I children. (Regs. 116.31(f))
(Circle only one) 1 2 3 4

5. The State agency must make available for public inspection the terms and provisions of each approved project. (Regs. 116.34(d))
(Circle only one) 1 2 3 4

6. All Federal Title I materials, such as forms, guidelines, and reports, are transmitted to the State agency for distribution to local educational agencies. (Memo to CSSO, August 26, 1965)
(Circle only one) 1 2 3 4

C. *The Title I law allocates to the local educational agency administrative responsibilities, such as the following:*

1. The local agency is required to take a census of children from low-income families as defined in Title I. (Program Guide #27)
(Circle only one) 1 2 3 4

2. The local agency must determine the school attendance areas to be designated as project areas according to the definitions in the regulations. (Regs. 116.17(c))
(Circle only one) 1 2 3 4

3. The local agency must develop its Title I program specifically to meet the special educational needs of those educationally deprived children who have the greatest need of assistance. (Regs. 116.17(f))
(Circle only one) 1 2 3 4

4. The local agency may include in the Title I program children who reside outside the project area only if their participation will not dilute the effectiveness of the program with respect to children residing in the project area. (Regs. 116.17(a))
(Circle only one) 1 2 3 4

5. The local agency must design a program to meet one or more of the special educational needs of educationally deprived children, rather than to meet the needs of a student body or a specified grade in a school. (Regs. 116.17(g))
(Circle only one) 1 2 3 4

6. The local agency must provide for appropriate participation of educationally deprived children residing in its district who are enrolled in private schools. (Regs. 116.19(a))
(Circle only one) 1 2 3 4

7. The project application of a local agency must describe the procedures and techniques to be utilized in evaluating the effectiveness of its Title I program. (Regs. 116.22(a))
(Circle only one) 1 2 3 4

D. *Special Fiscal Requirements in Title I*

This is a special application of the rating scale to an important area of Title I administration as it developed during the 1965-1970 period. The items trace the Federal administrative steps from the original statutory prohibition against substituting Title I funds for State funds in computing State aid to local educational agencies and the requirement that combined State and local fiscal efforts in the local agency must be maintained at or above the level of the preceding year.

Federal administrative decisions became increasingly specific and mandatory, until in 1969 Federal funds were made dependent on fiscal comparability, as defined by the U.S. Office of Education, between Title I project areas and other attendance areas within each local agency. Congress then passed legislation that modified the timing of mandated local comparability surveys, placed a two-year moratorium on Federal mandates to withhold funds for noncompliance, and ordered the Commissioner to survey the entire situation and report back to Congress.

1. The original Title I law required that Federal funds must not be paid for Title I purposes if:

a. A State included Title I funds in its computation of State aid to local educational agencies. (89-10 Sec. 207(c)(1))
(Circle only one) 1 2 3 4

b. The combined State and local fiscal effort with respect to the provision of public education by the *local agency* was reduced in the preceding year to an amount less than in the second preceding year. (89-10 Sec. 207(c)(2))
(Circle only one) 1 2 3 4

2. The Regulations of September 1965 provided that:

a. A local agency must assure that Title I funds would supplement, and not supplant, State and local funds for use in the *project area.*
(Circle only one) 1 2 3 4

b. A local agency must assure that its Title I funds would not result in a decrease of State and local funds in the *project area.*
(Circle only one) 1 2 3 4

3. The Regulations of 1968 provided that:

a. The expenditure of State and local funds in project areas must be maintained at a level comparable to those in non-project areas within the same local agency.
(Circle only one) 1 2 3 4

b. The State agency must enforce this requirement as part of its project approval procedures.
(Circle only one) 1 2 3 4

4. Program Guide No. 57, issued on February 26, 1970, mandated that the State agency require each local agency to (a) demonstrate affirmatively in its project application that services and expenditures provided by State and local funds in project and non-project areas within the district are comparable, or (b) submit a plan to achieve such comparability by the time schools opened in the Fall of 1970.
(Circle only one) 1 2 3 4

5. The State agency was required to submit to the Commissioner by April 1, 1970, the criteria by which local agencies would demonstrate their adherence to the requirements of comparability prescribed by the Commissioner, including relative distribution of instructional personnel, pupil services, and per pupil expenditures in project and non-project areas.

(Circle only one) 1 2 3 4

6. Projects submitted for the 1970-71 year were to be approved by the State agency only when the local agency demonstrated current or forthcoming comparability.

(Circle only one) 1 2 3 4

7. At this point, comparability became a legislative issue. Congress reaffirmed the principles of the 1965 regulations, as subsequently elaborated by the 1968 regulations and by the administrative rules in Program Guide No. 57. The first explicit law on comparability within local school districts, effective on April 13, 1970, included the following conditions:

a. State and local funds must be used to provide services in project areas which, taken as a whole, are at least comparable to services provided in non-Title I areas of the local agency. (91-230 Sec. 109(a))

(Circle only one) 1 2 3 4

b. Any finding of noncompliance shall not affect payment of Federal funds to local agencies until after July 1, 1972. (91-230 Sec. 109(a))

(Circle only one) 1 2 3 4

c. Each local agency must report to the State agency on its compliance with comparability requirements on or before July 1, 1971, and on or before July 1 each year thereafter. (91-230 Sec. 109(a))

(Circle only one) 1 2 3 4

d. Not later than March 31, 1972, the Commissioner must submit to the Congress a report of a study making special reference to Title I fund distributions among counties, and " . . . the means by which such funds may be concentrated in school attendance areas with the highest concentrations of children from low-income families . . . ." (91-230 Sec. 102(a))

(Circle only one) 1 2 3 4

Section III—ESEA, Title III

Title III of the Elementary and Secondary Education Act of 1965 authorizes grants for supplementary educational centers and services, to stimulate and assist in the provision of vitally needed educational services not available in sufficient quantity or quality, and to stimulate and assist in the development and establishment of exemplary elementary and secondary school educational programs to serve as models for regular school programs.

Since passage of P.L. 89-10 in 1965, Title III has operated under several administrative patterns. The first law and regulations, in force through the fiscal year 1968, provided for a direct Federal-local relationship. Project applications were made by the local educational agency to the U.S. Commissioner for approval and funding. The State educational agency had no authority except to comment on local applications in an advisory capacity only.

On January 2, 1968, P.L. 90-247 was enacted. This law and subsequent regulations transferred the administrative responsibility for Title III to the State educational agency under a State plan approved by the U.S. Commissioner. For FY 1969, the State agency approved local applications for 75% of the program funds and the Commissioner approved them for 25%. In FY 1970, the State agency approved local applications for 100% of the program funds.

On April 13, 1970, P.L. 91-230 again altered the Title III administrative arrangements. For FY 1971 and succeeding years, the State agency approves local project applications for and administers 85% of the program funds under its State plan. The U.S. Commissioner approves local project applications for and administers 15% of the funds under Federal regulations.

Patterns of administrative responsibility for Title III are identified by the allocations of authority to approve Title III projects as described below. Please mark the *one* your knowledge and experience lead you to believe best to provide workable management and administrative arrangements under the circumstances existing at the governmental level at which you function.

☐ The U.S. Commissioner approves local applications for 100% of the program funds.

☐ The State educational agency approves local applications for 100% of the program funds.

☐ The U.S. Commissioner approves local applications for 15% of the funds and the State educational agency approves local applications for 85% of the funds.

Please consider each numbered item in terms of whether it supports or retards workable management and administrative arrangements under the circumstances existing at the level of government at which you function. Indicate the number which most nearly expresses your considered opinion on each item as described by the rating scale below. Please mark all items.

1. Strongly supports achievement of program objectives.
2. Permits reasonable achievement of program objectives.
3. Mildly retards achievement of program objectives.
4. Strongly retards achievement of program objectives.

A. *Title III Administration by the U.S. Commissioner*

1. All applications by local agencies for programs or projects must be directed to the Commissioner for approval.
(Circle only one) 1 2 3 4

2. The applications are made on forms supplied by the Commissioner and submitted to him at such times, in such manner, and containing such information as he deems necessary.
(Circle only one) 1 2 3 4

3. The Commissioner is authorized to approve such applications only if:

a. Certain statutory requirements are met, including: involvement in planning and administration of persons representative of the cultural and educational resources of the area to be served; satisfactory statements of a program and provisions for its administration; provisions for fiscal control, fund accounting procedures, and maintenance of the level of State and local funds; and an annual report and other reports as the Commissioner may reasonably require.
(Circle only one) 1 2 3 4

b. The program is consistent with criteria established by the Commissioner to insure an equitable distribution of assistance within each State.
(Circle only one) 1 2 3 4

c. The Commissioner determines that the proposed program utilizes the best available talents and resources to substantially increase the educational opportunities of the area.
(Circle only one) 1 2 3 4

d. The local agency has made provision for the participation of children enrolled in nonprofit private schools in the area to be served whose educational needs are of the type provided by the program or project.
(Circle only one) 1 2 3 4

e. A copy of the local application has been submitted to the State agency for review and recommendations to the Commissioner.
(Circle only one) 1 2 3 4

4. The Commissioner was mandated to establish an Advisory Council on Supplementary Educational Centers and Services, consisting of the Commissioner, serving as Chairman, and eight members appointed by the Commissioner with the approval of the Secretary.
(Circle only one) 1 2 3 4

a. The Advisory Council was required to advise the Commissioner on action to be taken on each local application.
(Circle only one) 1 2 3 4

b. The Advisory Council was required to advise the Commissioner on preparation of general regulations and administrative policy matters, including criteria for approval of local applications.
(Circle only one) 1 2 3 4

5. All program and financial negotiations with the applicant local agencies are conducted by the Commissioner and his staff.
(Circle only one) 1 2 3 4

6. Evaluation and dissemination activities are entirely the responsibility of the applicant local agency and the Commissioner.
(Circle only one) 1 2 3 4

7. The Commissioner must have each project proposal reviewed by a panel of experts who will advise him on its relevance of innovative, exemplary, and new and improved approaches to education. (Regs. 118.53)
(Circle only one) 1 2 3 4

8. The Commissioner must notify in writing the applicant and the appropriate State agency on his decision on each project proposal. (Regs. 118.54)
(Circle only one) 1 2 3 4

9. The Commissioner is authorized to make grants directly to local educational agencies from 15% of each State's allotment for programs or projects which hold promise of making a substantial contribution to the solution of critical educational problems common to all or several States. (91-230 Sec. 306(a))
(Circle only one) 1 2 3 4

10. The State agency has no mandatory administrative responsibilities for this part of the Title III program.
(Circle only one) 1 2 3 4

B. *Title III Administration by the States*

1. The State educational agency must submit to the Commissioner an approvable State plan, at such time and in such detail as the Commissioner may deem necessary, to qualify for its Title III allotment. (90-247 Sec. 305(a)(1)(C))
(Circle only one) 1 2 3 4

2. The State plan for Title III must:

a. Set forth the number, types, function, and qualifications of all staff members required for the administration of the State plan. (Regs. 118.6(a))
(Circle only one) 1 2 3 4

b. Provide for the selection of a panel of experts which shall review all project applications. (Regs. 118.6(b))
(Circle only one) 1 2 3 4

c. Set forth the policy for determining the qualifications required of members of the panel of experts and the approximate number to be used. (Regs. 118.6(b))
(Circle only one) 1 2 3 4

d. Describe procedures which may be utilized for appropriate staff development of State and local administrative, instructional, and service personnel who will be involved in developing and conducting programs or projects. (Regs. 118.6(c))
(Circle only one) 1 2 3 4

e. Make provision for the participation of children enrolled in nonprofit private schools in the area to be served by a project, to the extent consistent with their number and needs. (Regs. 118.7(k))
(Circle only one) 1 2 3 4

f. Identify the educational needs of the State and explain the objective criteria and measurements used to identify those needs. (Regs. 118.8(a))

(Circle only one) 1 2 3 4

g. Describe the critical educational needs in the various areas of the State and describe the process used to determine those respective needs. (Regs. 118.8(b))

(Circle only one) 1 2 3 4

h. Explain the manner in which Title III funds will be used in meeting the critical educational needs. (Regs. 118.8(c))

(Circle only one) 1 2 3 4

i. Describe the long-range strategy for advancing education in the State through Title III. (Regs. 118.8(d))

(Circle only one) 1 2 3 4

j. List the major criteria which will be applied to review project applications from local agencies. (Regs. 118.8(e))

(Circle only one) 1 2 3 4

k. Describe strategies designed to evaluate, at least annually, the effectiveness of programs and projects funded under Title III. (Regs. 118.8(n))

(Circle only one) 1 2 3 4

l. Set forth provisions for statewide dissemination of information concerning projects determined through evaluation to be innovative, exemplary, and of high quality. (Regs. 118.8(o))

(Circle only one) 1 2 3 4

m. Set forth provisions for encouraging the adoption and adaptation within the State of promising educational practices resulting from projects which are innovative, exemplary, and of high quality. (Regs. 118.8(p))

(Circle only one) 1 2 3 4

3. The Commissioner must approve a State plan that meets the requirements of his criteria, before he pays a State the funds necessary to carry out its plan. (91-230 Sec. 307(a))

(Circle only one) 1 2 3 4

4. The Commissioner may contract for programs with competent nonprofit institutions or organizations for children enrolled in private schools in the area served by a program when no State agency is authorized by law to provide, or there is substantial failure to provide for their participation. (91-230 Sec. 307(f)(1))

(Circle only one) 1 2 3 4

5. In FY 1971, and thereafter, the State may receive not to exceed 85% of its allotment to carry out its approved State plan. (91-230 Sec. 305(d))

(Circle only one) 1 2 3 4

6. Beginning in FY 1971, legislation incorporated Title V-A of the National Defense Education Act into Title III of ESEA under certain conditions. (91-230 Sec. 305(b)(B))

(Circle only one) 1 2 3 4

a. Guidance and counseling programs must be subject to the procedures described in the State plan for all Title III projects.

(Circle only one) 1 2 3 4

b. The State plan must set forth a program for testing students in the elementary and secondary schools, the junior colleges, and the technical institutes of the State, including descriptions of the means of testing, the types of tests, and the grade levels of the children tested.

(Circle only one) 1 2 3 4

c. Except as specifically limited by law, Federal funds may be used for the same purposes and types of programs as those previously authorized by Title III and NDEA, Title V-A.

(Circle only one) 1 2 3 4

d. The State must assure that it will expend an amount at least equal to the Federal funds expended prior to June 30, 1970, for testing programs and programs designed to improve guidance and counseling services. (91-230 Sec. 309(b))

(Circle only one) 1 2 3 4

7. The State agency is responsible to see that audits performed for local educational agencies are within State laws. (Administrative Manual, p. 37)

(Circle only one) 1 2 3 4

8. Each State educational agency is required to appoint a State advisory council.

(Circle only one) 1 2 3 4

9. Fifteen percent of each State's allotment is required to be expended on programs for handicapped children.

(Circle only one) 1 2 3 4

10. A local agency may file with the U.S. Court of Appeals (with right of appeal to the U.S. Supreme Court) a petition for review of the action of the State educational agency, with respect to the approval of an application, if the local agency is dissatisfied with the final action of the State agency. (90-247 Sec. 305(f))

(Circle only one) 1 2 3 4

Section IV—ESEA, Title VI

Title VI of the Elementary and Secondary Education Act authorizes grants to assist the States in the initiation, expansion, and improvement of programs and projects for the education of handicapped children at the preschool, elementary and secondary school levels.

A. *Part A of the law allocates to the U.S. Commissioner of Education responsibilities for the direct administration of Title VI, such as the following:*

1. The Commissioner is authorized to make grants or contracts to pay all or part of the cost of the establishment and operation of regional centers to develop and apply the best methods of appraising the special educational needs of handicapped children. (91-230 Sec. 621(a))

(Circle only one) 1 2 3 4

2. The Commissioner is authorized to make grants or contracts to pay all or part of the cost of the establishment and operation of centers for deaf-blind children. (91-230 Sec. 622(b))

(Circle only one) 1 2 3 4

3. The Commissioner is authorized to arrange by contract, grant, or otherwise for the development and carrying out of experimental preschool and early education programs which he determines show promise of promoting a comprehensive and strengthened approach to the special problems of handicapped children. (91-230 Sec. 623(a))

(Circle only one) 1 2 3 4

4. The Commissioner is authorized to pay all or part of the cost of such activities as research to meet the full range of special needs of handicapped children; development or demonstration of new methods which would contribute to their adjustment and education; training of professional and allied personnel to engage in programs specifically designed for the handicapped; and dissemination of materials and information about effective practices. (91-230 Sec. 624(a))

(Circle only one) 1 2 3 4

5. The Commissioner must conduct, either directly or by contract with independent organizations, a thorough and continuing evaluation of the effectiveness of each program to assist handicapped children for which he has the administrative responsibility. (91-230 Sec. 625)

(Circle only one) 1 2 3 4

B. *Part B of the law allocates to the State educational agency the following responsibilities in the administration of its Title VI State plan:*

1. The State agency must be the sole agency for administering or supervising the administration of the State plan. (91-230 Sec. 613(a)(5))

(Circle only one) 1 2 3 4

2. The State educational agency, in its State plan, must set forth policies and procedures which provide satisfactory assurance that funds will be used to supplement and, to the extent practical, increase the level of State, local, and private funds expended for the education of handicapped children. (91-230 Sec. 613(a)(4))

(Circle only one) 1 2 3 4

3. The State plan must include a statement of policies and procedures designed to insure that all education programs for the handicapped will be properly coordinated

by the persons in the State educational agency in charge of special education programs for handicapped children. (91-230 Sec. 613(a)(11))

(Circle only one) 1 2 3 4

4. The State plan must indicate the extent to which two or more local educational agencies may enter into agreements and submit applications carrying out jointly operated programs and projects under Title VI. (Regs. 121.3(f))

(Circle only one) 1 2 3 4

5. The State plan must include a quantitative and qualitative description of present programs and projects for the education of handicapped children. (Regs. 121.5)

(Circle only one) 1 2 3 4

6. The State plan must provide that special educational and related services for handicapped children enrolled in private schools will be provided on a basis comparable to that used in providing such services to children enrolled in public schools. (Regs. 121.7)

(Circle only one) 1 2 3 4

7. The State plan must assure that funds from Title VI will not be used to provide programs in schools operated by a State agency directly responsible for providing free public education for handicapped children and for those who are in other schools which receive support for their education from such a state agency. (Regs. 121.25)

(Circle only one) 1 2 3 4

C. *The law allocates to the local educational agency administrative responsibilities, such as the following:*

1. A local educational agency must coordinate its program or project with other public and private programs for the education of handicapped children in its area. (Regs. 121.10(b)(1))

(Circle only one) 1 2 3 4

2. A local educational agency must coordinate its program activities with similar programs in other local educational agencies under the State plan. (Regs. 121.10(b)(2))

(Circle only one) 1 2 3 4

Section V — Vocational Education Act

The Vocational Education Act of 1968 is intended to assist the States to maintain, extend, and improve existing programs of vocational education, to develop new programs of vocational education, and to insure that persons of all ages in all communities shall have ready access to vocational education according to their needs.

A. *The Vocational Education Act of 1968 allocates to the Commissioner responsibilities for the administration of the Act, such as the following:*

1. The Commissioner must promulgate *allotment ratios* for each fiscal year between July 1 and September 30 of the preceding fiscal year. (90-576 Sec. 103(d)(2))
(Circle only one) 1 2 3 4

2. The Commissioner may not approve a State plan until he has made specific findings as to the compliance with the requirements and he is satisfied that adequate procedures are set forth to insure that such plan will be carried out. (90-576 Sec. 123(b))
(Circle only one) 1 2 3 4

3. The Commissioner may not approve an application for a research and training program until it has been approved by a panel of experts who are not employees of the Federal Government. (90-576 Sec. 133(b))
(Circle only one) 1 2 3 4

4. The Commissioner may not make any grant or contract for an exemplary program or project unless the program or project has been submitted to the State board and has not been disapproved by the State board within 60 days. (90-576 Sec. 143 (b)(3))
(Circle only one) 1 2 3 4

5. The U.S. Secretary of Labor has been mandated to make studies and projections of manpower needs for purposes of vocational education planning. (Appropriations Acts of 1970 and 1971)
(Circle only one) 1 2 3 4

6. Audit agencies representing the Department of Health, Education, and Welfare will audit the State agency's program records to determine whether program funds have been properly accounted for and administered. (Regs. 102.128)
(Circle only one) 1 2 3 4

7. Only where the available information is deemed inadequate will an auditor representing the Department of Health, Education, and Welfare arrange, through the State board, to audit the records of the participating local educational agencies. (Regs. 102.128)
(Circle only one) 1 2 3 4

B. *The State educational agency has been allocated, among others, the following responsibilities in the administration of the Vocational Education Act of 1968:*

1. The State must designate the State board as the sole agency for administration of the State plan, or for supervision of the administration thereof by local educational agencies. (90-576 Sec. 123(a))
(Circle only one) 1 2 3 4

2. A State must submit a State plan which includes a detailed description of the State's programs, services, and activities under the Act, and states the policies and operating procedures which the State board will implement. (Regs. 102.31(a))

(Circle only one) 1 2 3 4

3. The State plan must set forth a long-range (3 to 5 years) program plan. (90-576 Sec. 123(a)(4))

(Circle only one) 1 2 3 4

4. The State plan must set forth an annual program plan, including a description of the extent to which consideration was given to the State advisory council's most recent evaluation report in developing the plan. (90-576 Sec. 123(a)(5)(6))

(Circle only one) 1 2 3 4

5. The State plan must set forth the policies and procedures to be followed in distribution of funds and use of such funds by local agencies as prescribed in the law. (90-576 Sec. 123(a)(6))

(Circle only one) 1 2 3 4

6. The State plan must describe the policies and procedures to be followed in establishing and operating programs which (a) encourage home economics to give greater consideration to social and cultural conditions and needs, especially in economically depressed areas, (b) encourage preparation for professional leadership, (c) prepare youths and adults for the role of homemaker, or contribute to their employability in the dual role of homemaker and wage earner, and (d) include consumer education programs. (Regs. 102.91)

(Circle only one) 1 2 3 4

7. The State plan must include an assurance that at least one-third of the funds for consumer and homemaking programs will be used for programs in economically depressed areas or areas with high rates of unemployment. (Regs. 102.91)

(Circle only one) 1 2 3 4

8. The State plan must give assurance that funds for cooperative vocational education programs will be used only for developing and operating programs which are planned and supervised by the schools and public or private employers so that each contributes to the student's education. (90-576 Sec. 175)

(Circle only one) 1 2 3 4

9. The State plan must set forth principles for determining the priority to be given to applications for work-study programs from local agencies having substantial numbers of youths who have dropped out of school and/or are unemployed. (90-576 Sec. 182(a)(3))

(Circle only one) 1 2 3 4

10. The State board must assure that State and local programs, services, and activities will be evaluated periodically with sufficient extensiveness and frequency to enable the board to carry out its State plan. (Regs. 102.36(a))

(Circle only one) 1 2 3 4

11. The State board may utilize evaluations made by the State advisory council and such additional evaluations conducted or arranged by the State board and each local agency as may be required. (Regs. 102.36(b))
(Circle only one) 1 2 3 4

12. The State board (or a local educational agency) may contract for any portion of a program of instruction if the contract is in accordance with State (or local) law and the instruction provided will constitute a reasonable and prudent use of funds available under the State plan. (Regs. 102.5(a))
(Circle only one) 1 2 3 4

13. The Preamble to the State Plan Guide for Vocational Education states that the State educational agency must give priority to funding programs, services, and activities for:

a. Disadvantaged persons
(Circle only one) 1 2 3 4

b. The physically or mentally handicapped
(Circle only one) 1 2 3 4

c. Those preparing for occupations requiring postsecondary education
(Circle only one) 1 2 3 4

d. Students enrolled in non-public schools (State Plan Guide Preamble, p. ii)
(Circle only one) 1 2 3 4

14. The State plan must set forth principles for determining the priority to be accorded applications from local agencies for cooperative vocational education programs, with preference given to applications submitted by local agencies serving areas of high concentrations of youth unemployment or school dropouts. (Regs. 102.97(a))
(Circle only one) 1 2 3 4

15. The State board may fund grants or contracts for exemplary programs or projects only if it determines that effective procedures will be followed to assure that the planning, development, and operation of such programs and projects are coordinated with other publicly and privately operated programs having the same or similar purposes. (Regs. 102.78)
(Circle only one) 1 2 3 4

16. The State board must encourage the development of exemplary programs and projects designed to broaden occupational aspirations and opportunities for youths, with special emphasis given to youths who have academic, socioeconomic, or other handicaps. (90-576 Sec. 143(a)(2))
(Circle only one) 1 2 3 4

17. The State plan must set forth minimum qualifications for teachers, teacher trainers, supervisors, directors, and all other personnel (including teacher aides) having responsibilities for vocational education and consumer and homemaking education in the state, regardless of whether there is Federal financial participation in their salaries. (90-576 Sec. 123(a)(7))
(Circle only one) 1 2 3 4

18. The State board, in allocating funds among local agencies, must give due consideration to the relative vocational education needs of persons in high schools, persons who have completed or left high school and who are available for study in preparation for entering the labor market, persons who have already entered the labor market and who need training or retraining to achieve stability or advancement in employment, disadvantaged persons, and handicapped persons. (Regs. 102.51(a))

(Circle only one) 1 2 3 4

19. The State board must give particular consideration to additional financial burdens which may be placed upon local agencies in providing students, particularly disadvantaged or handicapped students, with special education programs and services, such as compensatory or bilingual education, in weighing the relative vocational education needs of the State's various population groups. (Regs. 102.54(b))

(Circle only one) 1 2 3 4

20. In allocating funds among local agencies, the State board must give due consideration to the costs of vocational education in excess of the normal costs of education in such local agencies, such as differences in the cost of materials, salaries of teachers, or other economic conditions existing in the areas served. (Regs. 102.56(a))

(Circle only one) 1 2 3 4

21. The State plan must describe in detail how each of the factors used in computing local tax effort are measured; how often the data are updated; the level of tax effort which the State board shall consider reasonable (which is at least equal to the average local tax effort in the State); and whether reasonableness of local tax effort is to be determined by comparing it with the average local tax effort in the State or with the average tax effort of the legal classification of local education agencies in the State. (Regs. 102.67(b)-(d))

(Circle only one) 1 2 3 4

22. When a personnel training program is provided by a cooperative effort, there must be a written agreement which shall describe the program and the policies and procedures which the State board and the agency or institution agree to utilize in evaluating the effectiveness of the program so described. (Regs. 102.9(b)(2))

(Circle only one) 1 2 3 4

23. The State board must develop a cooperative agreement with the State employment service for the provision for adequate vocational guidance and counseling services. (Regs. 102.40(a))

(Circle only one) 1 2 3 4

24. Programs funded under the State plan must be designed to include, to the extent consistent with the number enrolled in private, non-profit schools in the geographic area to be served, vocational education services which meet the needs of such students. (Regs. 102.7)

(Circle only one) 1 2 3 4

25. The State plan must provide for the establishment or designation of a State research coordination unit and describe its staff, organization, and functions with

respect to vocational education research and personnel training programs, developmental, experimental or pilot programs, and dissemination activities. (Regs. 102.71(a))

(Circle only one) 1 2 3 4

26. The State plan must describe the policies and procedures for submitting to the State board applications for research and training grants and contracts which will assure that such applications describe the nature, duration, purpose, and plan of the project; the use to be made of the results in regular vocational education programs; the qualifications of the project staff; a justification of the amount requested; the applicant's share of the cost; and such other information as the board may require. (Regs. 102.72)

(Circle only one) 1 2 3 4

C. *The Vocational Education Act of 1968 allocates administrative responsibilities, such as the following, to the local educational agency:*

1. An application from a local agency must include a description of the proposed programs, services, and activities, including evaluation activities. (Regs. 102.60 (a)(1))

(Circle only one) 1 2 3 4

2. An application from a local agency must include a justification of the amount of Federal and State funds requested and information on the amounts and sources of other funds available for the programs, services, and activities. (Regs. 102.60(a)(2))

(Circle only one) 1 2 3 4

3. The local agency must provide information indicating that its application has been developed in consultation with the educational and training resources available in the area to be served. (Regs. 102.60(a)(3))

(Circle only one) 1 2 3 4

4. The application of the local agency must indicate that the proposed programs, services, and activities will make substantial progress toward preparing the persons to be served for a career. (Regs. 102.60(a)(4))

(Circle only one) 1 2 3 4

5. The application of the local agency must include a plan, extending five years from date of application, for meeting the vocational educational needs of potential students in the area to be served. (Regs. 102.60(a)(5))

(Circle only one) 1 2 3 4

6. In an application for an exemplary program or project, the local agency must describe the nature, duration, purpose, and plan of the project; the use to be made of the results in regular vocational education programs; the qualifications of the project personnel; a justification of the amount of funds requested; the applicant's portion of the cost, if any; and other information the State board may require. (Regs. 102.77 (a)(1))

(Circle only one) 1 2 3 4

7. A local agency may receive funds for an exemplary program or project for not more than three years. (90-576 Sec. 145)
(Circle only one) 1 2 3 4

Section VI—Special Funding Provisions

Federal laws include special funding provisions for a variety of educational purposes, including the following:

1. Provisions to facilitate coordination of authorized educational programs with authorizations of funds, including the timely availability of funds to plan, establish, and operate effective programs of education. (Illustrated by Nos. 1-11)

2. Provisions to assist in the financial support of State administration of Federal programs. (Illustrated by Nos. 12-14)

3. Provisions to finance national and state advisory councils. (Illustrated by Nos. 15-16)

4. Provisions to set aside various percentages from State allotments to be administered by Federal agencies for purposes substantially similar to those for which the State allotments are administered by the State agencies. (Illustrated by Nos. 17-18)

5. Provisions for Federal funds committed to educational programs to achieve certain purposes or to benefit certain groups as specified by law. (Illustrated by Nos. 19-21)

6. Provisions for State or local matching of Federal funds. (Illustrated by Nos. 22-24)

Please rate the special funding provisions in the following items in terms of their administrative effectiveness in achieving program objectives as stated in the applicable laws.

1. Strongly supports achievement of program objectives.
2. Permits reasonable achievement of program objectives.
3. Mildly retards achievement of program objectives.
4. Strongly retards achievement of program objectives.

1. To avoid disruption of an authorized program when the fiscal year begins before an appropriation bill is enacted, Congress regularly passes continuing resolutions to permit spending for continuing activities during the new fiscal year, usually at or near the level of the previous fiscal year.
(Circle only one) 1 2 3 4

2. Congress has authorized advance funding for all programs administered by the U.S. Commissioner of Education, so that appropriations may be made in the

fiscal year preceding the fiscal year for which they will be available for obligation. (90-247, Title IV, Sec. 403)

(Circle only one) 1 2 3 4

3. Federal funds appropriated for all programs administered by the U.S. Commissioner of Education in any fiscal year must remain available for obligation until the end of that fiscal year. (90-576, Title III, Sec. 301(b))

(Circle only one) 1 2 3 4

4. Any funds to carry out any programs ending prior to July 1, 1973, for which the U.S. Commissioner has responsibility for administration, which are not obligated and expended before the end of any fiscal year shall remain available for obligation and expenditure during the succeeding fiscal year. (91-230, Title IV, Sec. 401(a)(8))

(Circle only one) 1 2 3 4

5. Federal funds available to the U.S. Commissioner for exemplary programs and projects in vocational education shall remain available until expended. (90-576, Title I, Sec. 143(b)(4))

(Circle only one) 1 2 3 4

6. Sums appropriated for any year to provide current operating funds to Federally impacted areas (P.L. 81-874) remain available for obligation and payment to local agencies until the close of the following fiscal year. (O.E. Comp. Laws, May 1970, Sec. 5(b), p. 8)

(Circle only one) 1 2 3 4

7. A State agency may determine its own method of payment of funds received from the Federal government for the use of local agencies.

(Circle only one) 1 2 3 4

a. A State agency may advance funds to a local agency with provision for the return of any overpayment or reimbursement of additional allowable expenditures.

(Circle only one) 1 2 3 4

b. A State agency may reimburse local agencies for expenditures when claims are supported by proof of payment.

(Circle only one) 1 2 3 4

c. A State agency may use either the advance or the reimbursement method *or a combination of these methods* for making payments to local agencies. (Regs. 121.29)

(Circle only one) 1 2 3 4

8. Under ESEA, Title I, special incentive grants may be made to any State which has a financial effort index exceeding the national index for the second preceding fiscal year.

(Circle only one) 1 2 3 4

9. The State agency must distribute special incentive grant funds to qualified local agencies which have the greatest need for additional Title I funds on the basis of

policies and procedures approved by the Commissioner. (91-230, Title I, Part B, Sec. 121(a))

(Circle only one) 1 2 3 4

10. Heads of Federal departments and agencies responsible for administering grant-in-aid programs must schedule the transfer of funds so as to minimize the time elapsing between the transfer of such funds and the disbursement thereof by a State. (P.L. 90-577, Title II, Sec. 203, enacted on October 16, 1968, 42 U.S.C. 4213)

(Circle only one) 1 2 3 4

11. Whether a State disburses the funds before or after the Federal transfer of funds to the State, a State shall not be held accountable for interest earned on grant-in-aid funds, pending their disbursement for program purposes. (P.L. 90-577, Title II, Sec. 203, enacted on October 16, 1968, 42 U.S.C. 4213)

(Circle only one) 1 2 3 4

12. A State agency may reserve from its allotment one percent or $150,000, whichever is greater, for the administrative expenses incurred by the State agency in the administration of ESEA, Title I. (90-247, Title I, Sec. 107(b))

(Circle only one) 1 2 3 4

13. A State agency may receive an amount equal to 7½ percent of its allotment or $150,000, whichever is greater, for administration of Title III, of which five percent of its allotment or $100,000, whichever is greater, may be used for administration of its State plan and the balance for its State advisory council's staff activities, and for evaluation and dissemination functions. (90-247 Sec. 307(b))

(Circle only one) 1 2 3 4

14. A State agency may spend up to five percent of the amount allotted to it or $100,000, whichever is greater, for administration of its Title VI State plan. (91-230 Sec. 613(a)(1))

(Circle only one) 1 2 3 4

15. The National Advisory Council on Vocational Education has an independent appropriation to engage technical assistance to carry out its functions. (The amount appropriated for FY 1971 was $330,000.) (90-576, Title I, Sec. 104(a)(4))

(Circle only one) 1 2 3 4

16. A State Advisory Council on Vocational Education is entitled to an amount equal to one percent of the State's allotment, not exceeding $150,000 nor less than $50,000.

(Circle only one) 1 2 3 4

17. The U.S. Commissioner retains control over the disbursement of 50 percent of the funds allotted to each State for grants and contracts in research and training in vocational education. (90-576, Title I, Sec. 131(a))

(Circle only one) 1 2 3 4

18. The U.S. Commissioner retains control over the disbursement of 50 percent of the funds allotted to each State for the development of exemplary programs and projects in vocational education. (90-576, Title I, Sec. 142(c))

(Circle only one) 1 2 3 4

19. At least 15 percent of each State's vocational education allotment must be spent for programs for persons who have academic, socioeconomic, or other handicaps that prevent them from succeeding in the regular vocational education program. (90-576, Title I, Sec. 122(c)(1))

(Circle only one) 1 2 3 4

20. At least 15 percent of each State's vocational education allotment must be spent for programs for persons who have completed or left high school and who are available for study in preparation for entering the labor market. (90-576, Title I, Sec. 122(c)(2))

(Circle only one) 1 2 3 4

21. At least ten percent of each State's vocational education allotment must be spent for programs for handicapped persons who cannot succeed in the regular vocational education program without special educational assistance or who require a modified vocational education program. (90-576, Title I, Sec. 122(c)(3))

(Circle only one) 1 2 3 4

22. In vocational education, every school, class, program, or activity supported in whole or in part by State and local matching funds must meet the same conditions and requirements as those supported by Federal funds. (Regs. 102.133(c))

(Circle only one) 1 2 3 4

23. The Federal share for eleven categories of expenditures made under the State plan for vocational education varies from 100% (4 programs and State advisory council); 90% (2 programs); 80% (1 program); 75% (1 program); to 50% (2 programs). (Regs. 102.132)

(Circle only one) 1 2 3 4

24. The State and local matching funds in vocational education may be computed on a statewide basis for each allotment for each of the separate programs affected by the various rates of matching. (Regs. 102.133(b))

(Circle only one) 1 2 3 4

Section VII—Public Participation

Federal statutes mandate or encourage Federal, State, and local educational agencies to involve advisory groups and selected individuals in activities related to intergovernmental programs of education. This provides channels for advice from the community to the official agencies and develops broader understanding of the programs.

Based upon your knowledge of Federal programs, please evaluate these patterns and activities. Circle the number in the rating scale which most nearly expresses your viewpoint on each of the items.

1. Strongly supports achievement of program objectives.
2. Permits reasonable achievement of program objectives.
3. Mildly retards achievement of program objectives.
4. Strongly retards achievement of program objectives.

A. *At the National Level*

1. National advisory councils have been established to review the effectiveness of the several titles or Acts in achieving the stated objectives of their respective programs. (91-230 Sec. 431)

(Circle only one) 1 2 3 4

2. The Commissioner may not serve as a member of any national advisory council. (91-230 Sec. 433)

(Circle only one) 1 2 3 4

3. Each national advisory council must submit an annual report of its activities, findings, and recommendations to the Congress not later than March 31 of each calendar year, as a part of the Commissioner's report. (91-230 Sec. 433)

(Circle only one) 1 2 3 4

4. A Presidential advisory council is authorized to obtain, without regard to the civil service laws, the services of professional, technical, and clerical personnel to enable it to carry out its functions. (91-230 Sec. 435(a))

(Circle only one) 1 2 3 4

5. The Commissioner must engage personnel and technical assistance required by Secretarial and Commissioner's advisory councils to carry out their functions. (91-230 Sec. 435(b))

(Circle only one) 1 2 3 4

6. The Commissioner is authorized to create advisory councils to advise him with respect to:

a. The organization of the Office of Education and the administration of applicable programs. (91-230 Sec. 432(a))

(Circle only one) 1 2 3 4

b. Recommendations for legislation regarding educational programs, and the means by which the educational needs of the Nation may be met. (91-230 Sec. 432(a))

(Circle only one) 1 2 3 4

c. Special problems and areas of special interest in education. (91-230 Sec. 432(a))

(Circle only one) 1 2 3 4

7. An advisory council so appointed by the Commissioner must terminate in one year unless the Commissioner determines that its existence for no more than one additional year is necessary to complete its work. (91-230 Sec. 432(b))
(Circle only one) 1 2 3 4

8. The Commissioner must appoint advisory councils to advise and make recommendations with respect to the approval of applications for grants or contracts as required by statute. (91-230 Sec. 431(3)(B))
(Circle only one) 1 2 3 4

9. The National Advisory Council on the Education of Disadvantaged Children must report specifically on which of the compensatory education programs funded under Title I, and of other public and private educational programs for educationally deprived children, hold the highest promise for raising the educational attainment of such children. (91-230 Sec. 134(c))
(Circle only one) 1 2 3 4

10. The National Advisory Council on Supplementary Centers and Services *must review, evaluate, and transmit* to the Congress and the President *reports from the respective State advisory councils.* (91-230 Sec. 309(a)(2))
(Circle only one) 1 2 3 4

11. The National Advisory Council on Supplementary Centers and Services *must evaluate programs and projects* carried out under Title III and disseminate the results thereof. (91-230 Sec. 309(a)(3))
(Circle only one) 1 2 3 4

12. The National Advisory Council on Vocational Education must have at least one-third of its membership representative of the general public, including parents and children, but with no professional connection with vocational education or school administration. (90-576 Sec. 104(a)(1)(G))
(Circle only one) 1 2 3 4

13. The National Advisory Council on Vocational Education must *conduct independent evaluations of programs* carried out under the law and publish and distribute the results thereof. (90-576 Sec. 104(a)(2)(C))
(Circle only one) 1 2 3 4

14. The National Advisory Council on Vocational Education must *review the possible duplication of vocational education programs* at the postsecondary and adult levels within geographic areas, and make annual reports of its findings and recommendations to the Secretary. (90-576 Sec. 104(c)(5))
(Circle only one) 1 2 3 4

B. *At the State Level*

1. The State advisory council for Title III is appointed by the State educational agency. (91-230 Sec. 305(a)(2))
(Circle only one) 1 2 3 4

2. The State advisory council for Title III must include persons representative of elementary and secondary schools, institutions of higher education, and areas of professional competence in the education of the handicapped. (91-230 Sec. 305(a)(2)(A))

(Circle only one) 1 2 3 4

3. The State advisory council for Title III must include a person representative of low-income groups. (Administrative Guidelines)

(Circle only one) 1 2 3 4

4. The State advisory council for Title III must hold at least one public meeting a year to give the public an opportunity to express views concerning the administration and operation of Title III. (91-230 Sec. 305(a)(4))

(Circle only one) 1 2 3 4

5. The State advisory council for Title III must *prepare and submit through the State educational agency* reports of its activities, recommendations, and evaluations to the Commissioner and to the National Advisory Council. (Regs. 118.2(a))

(Circle only one) 1 2 3 4

6. The State educational agency may make recommendations and comments on State advisory council reports, as it deems appropriate, before it sends the reports to the Commissioner and to the National Advisory Council. (Regs. 118.2(a))

(Circle only one) 1 2 3 4

7. The State agency must consult with the State Title III advisory council on preparation of the State plan, including policy matters arising in its administration, and development of criteria for approval of applications under the plan. (90-247 Sec. 305(a)(2)(B))

(Circle only one) 1 2 3 4

8. The State agency must submit to the Title III State advisory council for review and recommendations each application for a grant under the State plan. (90-247 Sec. 305(a)(2)(C))

(Circle only one) 1 2 3 4

9. The State advisory council for Title III must evaluate, at least annually, all projects funded under the State plan. (Regs. 118.2(b))

(Circle only one) 1 2 3 4

10. If a State uses advisory committees with respect to one or more aspects of its Title VI State plan, the State plan must describe the membership, method of establishment, and duties of such advisory committees. (Regs. 121.3(e))

(Circle only one) 1 2 3 4

11. The State advisory council on vocational education is appointed by the Governor, or by the State board when members of that board are elected by the people or by the State legislature. (90-576 Sec. 104(b)(1))

(Circle only one) 1 2 3 4

12. The State advisory council on vocational education *is to be separate and independent from the State board.* (Regs. 102.21(a))
(Circle only one) 1 2 3 4

13. *The professional, technical, and clerical staff* of the State advisory council on vocational education *is subject only* to the supervision and direction of the State advisory council. (Regs. 102.25)
(Circle only one) 1 2 3 4

14. The State advisory council on vocational education must include, among others, at least one person:

a. Having special experience or qualifications with respect to vocational education who is *not* involved in the administration of State or local vocational education programs. (90-576 Sec. 104(b)(1)(A)(iii))
(Circle only one) 1 2 3 4

b. Representative of and knowledgeable about the poor and disadvantaged. (90-576 Sec. 104(b)(1)(A)(ix))
(Circle only one) 1 2 3 4

15. The State advisory council on vocational education *must prepare and submit through the State board* (acting as fiscal agent for the State advisory council) *an annual budget* covering the proposed expenditures of the council and its staff. (Regs. 102.23(e))
(Circle only one) 1 2 3 4

16. The State vocational education board must give reasonable notice and opportunity for a public hearing on its State plan before submitting it to the Commissioner for approval. (90-576 Sec. 123 (a)(3))
(Circle only one) 1 2 3 4

17. The State vocational education board must insure that copies of its State plan for vocational education and statements of policies and procedures concerning its administration will be made reasonably available to the public. (90-576 Sec. 123(a))
(Circle only one) 1 2 3 4

C. *At the Local Level*

1. Each local agency must provide for the maximum practical involvement of parents of educationally deprived children in the planning, development, operation, and appraisal of Title I projects. (Regs. 116.18(f))
(Circle only one) 1 2 3 4

2. The local agency has the option of establishing a local advisory committee to assist in the planning, operation, and appraisal of Title I projects. (Regs. 116.18(f))
(Circle only one) 1 2 3 4

3. If a local agency establishes an advisory committee for a local Title I program, the parents of educationally deprived children must be represented. (Regs. 116.18(f))

(Circle only one) 1 2 3 4

4. A local agency must consult with persons knowledgeable of the needs of educationally deprived children who reside in the project area and are enrolled in private schools, to determine their needs and the extent of their participation in the Title I program. (Regs. 116.19(b))

(Circle only one) 1 2 3 4

5. A local agency must consult with other agencies which administer programs serving the needs of educationally deprived children to avoid duplication of effort and to assure the most effective use of Title I funds. (Regs. 116.24)

(Circle only one) 1 2 3 4

6. In an application for a Title III project, a local agency must provide documentation that teachers, students, and others, including those of low income, broadly representative of the cultural and educational resources and of the public, are involved in the planning, implementation, and appraisal of project activities. (Regs. 118.8(e))

(Circle only one) 1 2 3 4

Supplements for Early Implementation

The Project Policy Committee emphasized that any project findings suitable for prompt implementation might be made available for that purpose at any time during the project. This was to take advantage of project results without delaying implementation until after the project report had been published. Two such opportunities have occurred and are explained in the two supplements that follow.

Supplement I summarizes a Pennsylvania state agency study of local projects under Title I of the Elementary and Secondary Education Act in that state. Space did not permit full publication of this predominantly statistical study, but statewide local comments on some aspects of state-local administration are included. In general, these comments reinforce the findings of this project.

Supplement II illustrates an aspect of activity to support a proposal of the Committee for Economic Development for changing the federal fiscal year to coincide with the calendar year. Although this proposal has been discussed since 1965, it has not been acted upon. It is easily the best single solution of the major problem of intergovernmental coordination dealt with in this report.

Supplement I

Pennsylvania Survey of ESEA Title I Administration

The Pennsylvania Department of Education was motivated by its participation in the State Intergovernmental Education Project to conduct a survey of Title I administration in the local educational agencies of the state.

The Bureau of Educational Research within the department designed the questionnaire and analyzed the data. Following is a brief interpretation of the statistical data derived from the survey. The items discussed have been inserted preceding each comment.

The Title I survey was conducted to determine perceptions of the local educational agencies concerning 34 present and emerging Title I practices and requirements. An analysis of the data indicated that in almost all instances the respondents differed from the ideal response to a degree that typically far exceeded the chi square value for chance occurrence.

A review of the data analysis tables was conducted to identify those items which appeared to have the greatest percentage of responses deviating from the ideal response. These items could be interpreted to be those things which were of greatest concern and need restudy and redevelopment.

It should be noted that, in general, the responses concerning present practices indicate a relatively high degree of compliance with most requirements while these same items seem to indicate a high degree of concern for restudy and changes in requirements. While outright disapproval of each requirement or practice was not often expressed, there appears to be a typically small portion of the population which is quite dissatisfied with the current status of affairs.

The following items have been identified as those requiring the most concern for future policy and procedure development and technical assistance for local agencies. The comments on each item are based on interpretation of the data received.

ITEM 1: A formula is used by the federal government to determine the amount of money for which the local agency is eligible. This formula takes into account: low-income, neglected children; children living in foster homes; and other factors.

Comment: This formula used by the state agency in determining the amount of money for each local agency is somewhat unsatisfactory to nearly half of the respondents and a majority suggests careful review, taking local conditions into consideration.

ITEM 2: (a) Federal appropriations have historically been delayed and programs have operated under "continuing resolutions."

(b) Federal regulations have established a final date of June 30 for submitting Title I proposals. However, the state agency has required that all proposals be submitted by May 20 to be considered for approval.

Comment: Funding delays and deadline dates for project submission appear to rate a rather high priority for consideration. A significant percent of respondents disapprove and suggest restudy and redevelopment of procedures.

ITEM 3: (a) The local agency should provide the following information:

—per pupil expenditure
—number of children in district
—number of children from low-income families
—concentration of children from low-income families
—school term covered by project
—schools where activities are conducted
—number of children participating
—proposed budget
—number and type of staff
—number of participants by grade level and ethnic group
—estimated cost of each activity
—statement of planning participation by nonpublic schools
—assurance of compliance with state and federal regulations
—statement of planning participation by community action agency
—inventory of equipment costing over $100 purchased with Title I funds
—a list and justification for each item proposed for purchase

(b) The local agency must keep those program and fiscal records which are required by the state agency and the Office of Education and will submit those reports required by state and/or federal agencies.

(c) Each local agency will have its fiscal records audited by the state agency or other auditing agency and will make the results available to state and federal agencies.

Comment: Information required for project application, program and fiscal records, and audits of these records appear to be relatively acceptable. There does not seem to be any great need for complete redevelopment.

ITEM 4: (a) Equipment expenditures should be limited.

(b) The total cost for all direction and management activities should not exceed eight percent of the total allocations. If exception is to be made to this requirement, a complete management proposal must be submitted to justify such an exception.

Comment: Limitation of equipment expenditures appears to require some restudy and redevelopment according to a majority of respondents, although the practice was found to be acceptable for nearly all. Limitation of administrative expenses appears to be less acceptable, and yet less than half suggest restudy or redevelopment.

ITEM 5: (a) A planning grant (part of the funds under the existing allocation) may be applied for up to one percent of the maximum grant or $2,000, whichever is greater, for planning activities during the current fiscal year for programs to be carried out during the coming year.

(b) Planning grants may be approved by the state agency providing they specify objectives (in measurable performance terms), activities and techniques to be undertaken in teaching objectives, and an appropriate evaluation design.

Comment: Use of project funds for planning is received quite positively by most of the respondents, and some form of restudy and redevelopment is suggested by over half of them. The criteria for approving planning grants appear less acceptable, and a majority suggests change.

ITEM 6: (a) All community agencies and representatives must be involved in planning the Title I grant. This includes parents, teachers, nonpublic schools, community action agencies, and others.

(b) The functions of a local advisory committee are:
  (1) To supply information about parental concerns
  (2) To recommend general plans for concentration of funds and programs
  (3) To suggest objectives to meet student needs
  (4) To suggest methods of improvement
  (5) To assist in evaluation of programs

(c) The state agency requires documentary evidence of coordination among the local agency, county superintendent, community action agency, and nonpublic school authorities. Technical assistance in program development may be provided by Educational Development Center personnel and state agency staff.

Comment: Community involvement in the planning process, the role and function of advisory groups, and documentation of involvement appear to require far more restudy and redevelopment and are less acceptable practices than any others except delayed funding.

ITEM 7: (a) Title I program decisions should consider relative needs of children of all ages. But decisions must be made to meet only a limited number of high priority needs for a limited number of children —needs which cannot be met or are not being met through the regular school program or other existing programs.

(b) Title I programs proposed must clearly distinguish between documented high priority needs of disadvantaged children and high priority needs of school district children in general.

(c) Federal and state regulations have been established to ensure compliance with the intent of ESEA Title I, which specifies that all programs be designed as categorical aid for disadvantaged children.

Comment: Designing categorical programs to meet the specific needs of a limited number of disadvantaged children and not those of the total school population is a rather widely accepted practice, but nearly half of the respondents suggest restudy and redevelopment.

ITEM 8: Existing programs or services provided by the applicant or other agencies may deter or block compensatory programs proposed for educationally deprived children. To meet documented compensatory needs and to make Title I and other programs compatible, existing programs may have to be modified.

Comment: Modification of local basic programs to accommodate compensatory programs appears to occur less frequently than other practices, and over half suggest modification of the idea.

ITEM 9: Each program should include a complete evaluation design to be used in determining the project accomplishments.

Comment: The need for a complete evaluation design to determine effectiveness of the project appears to be acceptable to most, but over half suggest restudy and redevelopment.

Item 10: (a) Services provided with state and local funds in the project area shall be comparable to—and on an equal basis with—those provided in nonproject areas. The local agency bears the burden of providing that Title I funds are not being used to supplant state and/or local funds.

(b) Project activities should provide compensatory programs for the educationally disadvantaged. Programs designed for the general student population must be avoided. Programs should not tend to segregate. Title I funds should not be used to provide services and materials which are available in nonproject areas through local funds. Title I funds must be used to supplement local funds.

Comment: The concepts of comparable basic services for all and Title I as supplemental aid appear to be quite acceptable, and less than half of the respondents suggest any need for modification.

The interpretation of the data seems to indicate that while some of the more unacceptable requirements and practices are necessitated by federal regulations and procedures, there is an apparent need for the state agency to provide inservice training for many Title I administrators in the areas of community involvement and project planning and evaluation design techniques.

There also appears to be a need to involve the local agencies in reviewing current state agency requirements and procedures and in suggesting ways to modify these activities.

While complete or nearly complete compliance with and approval of practices is indicated, exceptions noted cannot be passed over lightly. If even small numbers report noncompliance with or disapproval of current requirements and practices, such responses suggest some need for careful analysis of individual local needs when designing state agency practices or determining state agency policy.

Supplement II

State Intergovernmental Education Project
8555 – 16th St., Silver Spring, Md. 20910
Area Code 301-587-1026

January 8, 1971

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EDGAR FULLER
Project Director

Dr. Robert F. Steadman, Director
Committee for Improvement of Management
in Government
Committee for Economic Development
1000 Connecticut Avenue, N.W.
Washington, D. C. 20036

Dear Dr. Steadman:

This is a reply in my personal capacity to your inquiry whether our State Intergovernmental Education Project has dealt with the problem of coordinating the Federal fiscal year with the fiscal year requirements of schools and other educational institutions receiving Federal funds for education. For more than a year we have studied this situation, and it is clear that none is more pervasive or damaging in terms of educational results. I am glad to give the reasons why I support the recommendation of the Committee for Economic Development that the beginning of each Federal fiscal year be moved back to January 1 from July 1. It would very greatly reduce and perhaps eliminate the most costly impediment to effective management of Federally supported educational programs at the Federal, State, and local levels of government. I shall explain why Federal funds for intergovernmental education could be improved 20% or 25% in their cost effectiveness.

After Congressional educational authorizations and appropriations have become law, the Office of Education requires several weeks to prepare regulations and administrative forms, to apply formulas for distribution of funds, to receive and to approve the state plans, state assurances, and other requirements to be met by the states, and to allocate funds to the states. The state educational agencies then require additional time to receive local projects and perform many administrative functions as required by Federal and State laws before Federal program funds can be made available to the local school agencies. Finally, the local educational agency that uses the funds for local

A Project Under ESEA Title V with Pennsylvania as Grantee

programs of education must have specific Federal and State information, authority, and funds in time to employ teachers, to plan and organize the programs of instruction, and to get approvals of programs and budgets from local boards of education. The beginning of school cannot be postponed until all these requirements have been met, and they seldom have been met until weeks or months after the local schools have been in full operation. Programs organized after teachers have been assigned, facilities occupied, and prospective pupils committed to other programs limp into existence, operate at less than ordinary effectiveness, and almost always roll up higher costs and poorer educational results for the pupils served.

Precise measurement of these losses is impossible in either financial or educational terms. They vary from year to year in many respects. Some programs suffer more than others. Clearly the most important factor is the degree of coordination of program authorizations and appropriations in Congress. Under present practices the lack of reasonable Federal timing and coordination makes timely and adequate administration of intergovernmental programs impossible in Federal, State, and local educational agencies.

Many educational administrators believe the necessary intergovernmental processes require a full year from the time the Federal appropriation is approved to the time the programs are inaugurated at the local level. Their reasons are based on their experience. Some provisions already have been authorized by Congress for a number of programs, among which is advance funding, but this has been provided only for one program for one year, and thereafter abandoned. The situation remains wasteful and educationally difficult year after year.

Table I shows that the CED plan could substantially solve the problem. It shows the number of days of delay of Federal appropriations beyond the beginning of the fiscal year on July 1 for five complete fiscal years of administration of the Elementary and Secondary Education Act of 1965. Had the plan proposed by CED been in effect, the Federal, State, and local educational agencies would have had six months for planning and administration each year before July 1st. Moreover, there would not have been the average loss of 131 days of additional time beyond July 1 for these functions, as shown in Table I.

Table I

Timing of Federal Appropriations for the Elementary and Secondary Education Act of 1965 During Fiscal Years 1967-1971

Fiscal Year	Enactment of Federal Appropriation	Number of Days Delay After Beginning of Fiscal Year on July 1
1967 7/1/1966 to 6/30/1967	November 7, 1966	129 days
1968 7/1/1967 to 6/30/1968	November 8, 1967	130 days
1969 7/1/1968 to 6/30/1969	October 11, 1968	102 days
1970 7/1/1969 to 6/30/1970	March 6, 1970	247 days
1971 7/1/1970 to 6/30/1971	August 18, 1970	48 days

Average Delay
Each Year - 131 days

It should be emphasized that to attain the desired results under the CED plan, two assumptions must be made: (1) that Congress will observe its own deadline of December 31 for enactment of appropriations; (2) that the educational fiscal year shall begin on the July 1 following the beginning of the Federal fiscal year on each January 1. No change in the educational fiscal year would be necessary or desirable.

I appreciate the opportunity to comment on this most important matter, and if I can be of any further assistance to you in your program please let me know.

Sincerely,

Edgar Fuller

Edgar Fuller - Project Director

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